

MURRAY
CITY COUNCIL

Council Meeting September 18, 2018



Murray City Municipal Council

Notice of Meeting

September 18, 2018

Murray City Center

5025 South State Street, Murray, Utah 84107

Meeting Agenda

5:00 p.m. **Committee of the Whole** - Conference Room #107
Diane Turner conducting

Approval of Minutes

Committee of the Whole – July 17, 2018

Discussion Items

1. Judge Paul Thompson Salary Discussion – Mike Terry (15 minutes)
2. Power Department Report – Blaine Haacke (30 minutes)
3. Discuss a Request for Reimbursement by J.R. Miller Enterprise Inc. – Tim Tingey (20 minutes)
4. Discuss Ordinance Prohibiting Daytime Landscape Watering – Danny Astill (10 minutes)

Announcements

Adjournment

The Council Meeting may be viewed live on the internet at <http://murraycitylive.com/>

6:30 p.m. **Council Meeting** – Council Chambers
Diane Turner conducting.

Opening Ceremonies

Pledge of Allegiance

Approval of Minutes

1. Council Meeting – August 14, 2018
2. Council Meeting – August 21, 2018
3. Council Meeting – September 4, 2018

Special Recognition

1. Murray City Council **Employee of the Month, Dan White**, Solid Waste Maintenance Worker, Murray City Public Works– Brett Hales and Danny Astill
2. Murray City Council **Resident Service Award, Lynda Smart Brown, KidsEat!** – Jim Brass

Citizen Comments

Fill out the required form, step to the microphone, state your name and city of residence. Comments will be limited to three minutes.

Consent Agenda

1. Consider confirmation of the Mayor's appointment of Haley Oliphant to the Murray City Cultural Arts Advisory Board, fulfilling an unexpired term ending January 15, 2019. – Mayor Camp

Public Hearings

Staff and sponsor presentations, and public comment prior to Council action on the following matters.

1. Consider an ordinance amending the City's Fiscal Year 2018 – 2019 Budget. - Danyce Steck
2. Consider an ordinance relating to land use; amends the General Plan from Low Density Residential to Medium Density Residential and amends the Zoning Map from R-1-8 to R-M-15 for the properties located at approximately 770 West Apple Gate Way, Murray City, Utah, known as the Apple Gate Condominiums - Tim Tingey (Applegate HOA/Kyle Lind, applicant.)

Business Items

1. Consider a resolution approving an amendment to an Interlocal Agreement with member entities of the Central Valley Water Reclamation Facility. – Danny Astill

Mayor's Report and Questions

Adjournment

NOTICE

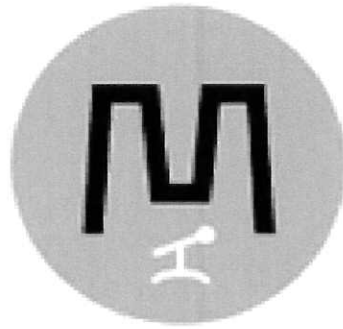
Supporting materials are available for inspection in the City Council Office, Suite 112, at the City Center, 5025 South State Street, Murray, Utah.

SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (801-264-2660). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TDD NUMBER IS 801-270-2425 or call Relay Utah at #711.

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

On Monday, September 10, 2018, at 12:00 p.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov and the state noticing website at <http://pmn.utah.gov>.


Janet M. Lopez
Council Executive Director
Murray City Municipal Council



MURRAY
CITY COUNCIL

Committee of the Whole



MURRAY
CITY COUNCIL

Committee of the Whole Minutes



MURRAY
CITY COUNCIL

DRAFT

MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, July 17, 2018 in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

Council Members in Attendance:

| | |
|----------------------------|-------------|
| Diane Turner, Chair | District #4 |
| Dave Nicponski, Vice-Chair | District #1 |
| Dale Cox | District #2 |
| Jim Brass | District #3 |
| Brett Hales | District #5 |

Others in Attendance:

| | | | |
|------------------|-----------------------------------|------------------|----------------------------|
| Doug Hill | Mayor Pro Tem | Jan Lopez | Council Director |
| G.L. Critchfield | City Attorney | Jennifer Kennedy | City Recorder |
| Jennifer Heaps | Comm. & Public Relations Director | Pattie Johnson | Council Office |
| Tim Tingey | ADS Director | Danyce Steck | Finance Director |
| Jim McNulty | Development Services Mgr. | Blaine Haacke | Power - General Manager |
| Danny Astill | Public Works Director | Bruce Tuner | Power – Operations Manager |
| Russ Kakala | Streets Superintendent | Mark Hooyer | Trans-Jordan Cities |
| Greg Bellon | Power – Assistant General Manager | Cory Kowalski | Resident |
| Lesha Earl | Trans-Jordan Cities | Michael Shea | Heal Utah |
| Scott Williams | Heal Utah | Deann Shepherd | Humane Society |
| Janice Strobell | Resident | Jennifer Brass | Resident |
| Brent Barnett | Resident | Jan Cox | Resident |
| Meredith Muller | Resident | C L Mayne | Resident |

Ms. Turner called the Committee of the Whole meeting to order at 4:46 p.m. and welcomed everyone.

1. Approval of Minutes

Ms. Turner asked for comments or a motion on the minutes from Committee of the Whole meetings May 1, May 15, and June 5, 2018. Mr. Hales moved approval. Mr. Brass seconded the motion. All were in favor.

2. Discussion Items

2.1 Trans-Jordan Landfill (TJL) Recycling Discussion – Danny Astill, Mark Hooyer, and Lesha Earl

The discussion was a continuation from a previous Committee of the Whole meeting, in order to provide more information related to current recycling challenges. The presentation included a handout and photos depicting common trash mixed together with items considered recyclable material.

Mr. Hooyer said contamination is the leading problem creating the increased volume in garbage at TJL. Contaminated waste means liquid, grease/oils, or food are present on recyclable items thrown into recycling cans, which ultimately spreads to and ruins entire truckloads of material that cannot be recycled. Unrecyclable material, such as glass, thrown into recycling cans is another challenge, therefore, educating the public is vital, due to vast contamination problems.

He said understanding current events in the recycling world is important, because although TJL is involved with solid waste, TJ's general landfill operations have seen a major impact because of China's new import regulations. Since solid waste fees are the number one driver of recycling, the more costly it is to throw out garbage, the better recycling programs become.

Ms. Earl explained recycling processes do not take place in the United States but has been shipped to China where the process occurs - until now. She explained the Chinese government decided, due to constant contamination, to no longer accept recycled waste from the United States. China's new regulations include, banning 23 items deemed no longer acceptable, strict standards that recycled waste be 0.5% or less contaminated, and the implementation of extreme procedures at their ports, where all waste is stopped for thorough inspection before entering the country. China's dramatic stance and firm procedures are filmed and broadcast to demonstrate people can be arrested on spot for not complying.

Mr. Hooyer explained Green Fence and National Sword programs were created and enforced in the past by China, which were effective over time, however, they failed, due to non-compliance of strict contaminate regulations. This resulted in China refusing to accept recycling and foreign garbage into any port from anyone, without further notice.

Ms. Earl said consequently, United States cities are feeling the impact on many levels, particularly, when citizens find out cities have not been forth right in educating them about the current recycling crisis. Therefore, a sense of distrust has developed, which is why becoming proactive with informing the public is more important than ever, in order for citizens to help work through the situation.

Mr. Hooyer noted two recycling facilities along the Wasatch Front; Rocky Mountain Recycling, and Recycle America. He said it was hard to calculate the amount of contaminated recyclable material landfills receive every year from recycling facilities. However, one of those facilities is located in a TJL garbage district, so he was able to determine specifically the amount of contaminated waste

being brought to the landfill by measuring their monthly garbage volume at the tipping gate. (He noted the other recycling facility contributes contaminated waste to another landfill.)

A graph was shared to reflect how garbage volume increased from the recycling facility in May 2016 through 2018, as follows:

- 2016 – Monitoring began over a five-month period when approximately 365 tons was received in January, and varied from month to month through May.
- 2017 – Nearly 500 tons was received in January alone, which continued to increase each month for the rest of the year.
- 2018 – A significant increase occurred when 1,242 tons was recorded just in January. The trend to increase did not slow down - as of May 31, 2018, 6,437 tons came from the recycling center.

Mr. Hooyer concluded what the recycling center was throwing away, more than doubled each year and by the end of May 2018 contributions were nearly equivalent to the entire year of 2017. Whether the recycling center picked up new districts or not was unclear, the impact on the landfill was substantial. He said the amount of waste received is a clear indication that material is not getting recycled. The increase was so much that the recycling facility purchased new trucks, and hired additional drivers to keep up with increased loads going to TJL.

Ms. Earl stressed educating the public correctly about recycling habits included three rules of thumb: First Reduce – Then Reuse - Then Recycle. She is actively involved in helping cities organize events and teaches proper recycling, promoting the new “Be Bright, Recycle Right” campaign, adopted by many cities. (See attachment #1) She visits elementary schools, attends Earth Day celebrations, and various civic organizations, as well as, business and religious organizations, in order to equip everyone with the best recycling habits.

Mr. Nicponski wondered about plans for constructing and opening a second landfill.

Mr. Hooyer said the Bayview Landfill, located in Alberta, Utah, was purchased three years ago for future use.

Mr. Hooyer shared concerns with citizens who diligently clean personal recycling materials, only to see items end up in landfills because of another person’s carelessness. He thought it would be helpful to reassure citizens that the industry is retooling, reinvesting and regrouping – knowing China once took care of everything for the United States. As a result, major recycling organizations nationwide are scrambling to open new centers, develop better methods, and upgrade technology to catch up with the back load and this new challenge. He said the process to achieve what China was doing could take up to 18 months, if not years, before the market makes its way back again.

Markets are gone for recycling #3 through #7 plastics, and mixed paper that includes magazines and junk mail, which means these materials are no longer recycled. So the question is often asked if separating, sorting and putting recycling cans out should discontinue entirely, until a resolution is found. Mr. Hooyer’s answer was that years of public education would be lost and have to start all over again if the practice just stopped, which would damage the industry all because of a changing market for what seems to be temporary down fall. He thought before such actions were taken,

waiting it out would be more valuable until it is determined what the market will do. In addition, Waste Management, the largest recycling company in the nation, is currently investing hundreds of millions of dollars in new recycling centers and new technology, because they realized too late China was accepting contaminated recycling material for quite some time.

Mr. Brass stressed the importance of rinsing items prior to placing them in recycling cans. However, he thought the public handout was confusing because some items reflected lids on, and some items had lids off, which might be misleading about pouring out, cleaning and rinsing.

Mr. Hooyer said containing a clear message was important and challenges started when residents assumed items could be recycled whether washed or not because overall recycling was all that mattered. That popular assumption is what harmed the industry initially. He attended meetings with recycling centers, organizations, and institutions, in order to formulate a unified message for recycling instructions as to what is and is not accepted, and how to clean items. However, over time companies strayed from the agreed list of requirements and the unified message was not maintained. For example, toilets have been pulled from recycling bins.

Mr. Hill recalled a discussion during budget time about the impact of recycling on the Solid Waste Enterprise Fund budget, and noted the cost for disposing general waste to the landfill was \$16 per ton, and the cost was \$50 per ton for disposing recycled material. When the last fee study was conducted for the Solid Waste Fund, high recycling costs were not anticipated. As a result, the increase would not be sustainable, which would have a greater impact on the Solid Waste Fund, and therefore, he thought immediate action would be required regarding an increase to solid waste fees.

Ms. Turner thought most citizens want to continue with recycling, so it would be important to do whatever was necessary to support residents and the industry.

2.2 Animal Mill Ordinance Discussion – Dale Cox, G.L. Critchfield, and DeAnn Shepherd, Marketing Director of the Humane Society (HS)

Mr. Cox favored the ordinance for the following reasons: 1.) Because he cares about humane treatment of animals; 2.) To show support for Murray citizens that have been mistreated and misguided, resulting in emotional and financial stress and adding more animals to shelters; 3.) To reduce the cost of sheltered pets in Murray.

Ms. Shepherd wanted to spread awareness about the ordinance, in order to address inhumane conditions at puppy mills used for breeding rabbits, puppies, and kittens sold for commercial purposes and profit. Animals coming from these conditions have behavioral and health issues and commonly end up in shelters and are difficult rehome.

Salt Lake County and Sandy City passed the ordinance, and Midvale City would consider the ordinance this evening during their council meeting. Ms. Shepherd said the ordinance does not put pet stores out of business and does not affect responsible breeders.

She explained the HS encourages healthy in-home breeding and thinks it is important for buyers to see environments, meet dog breeders and monitor veterinary care, because good breeders never hand animals over to pet stores and healthy breeders encourage the return of pets should the adoption not work out, however, animals purchased in pet stores cannot be returned. In addition, accident litters listed on-line and sold for quick money are often interbreed, have medical and behavioral issues because these types of animals are often raised in poor conditions and taken from the mother too soon.

The ordinance would provide a humane model for buying and selling, like Petco and PetSmart, where animals for sale come from sources like the HS, shelters, or non-profit rescue facilities - instead of puppy mills. If passed, the ordinance would allow animal control officers to attain animal histories from sellers, to prove animals did not come from mills.

The ordinance differs slightly from city to city. For example, Midvale City's ordinance also includes a required customer service guarantee so that new pet owners are provided not only medical history, but congenital defect information upfront and some kind of exchange/return policy with reimbursement of the adoption fees.

The ordinance originated in Sandy City, when push back from the community was recognized against a new puppy store coming to their city. The store wanted to sell puppies that derived from out of state, which is why Sandy passed the ordinance for precautionary reasons. Ms. Shepherd explained once a pet store opens, stores are difficult to close. With the ordinance a lot of undue stress on animal control could be avoided because animal control officers are consistently responding to complaint calls from consumers to check on pets in questionable stores and follow up on problems consumers have after purchasing animals.

Ms. Turner asked about consumer complaints in Murray.

Ms. Shepherd reported none, because Murray's pet stores only sell fish, small reptiles and pet supplies - not puppies or kittens. Only a handful of pet stores in Utah sell puppies and kittens, therefore, the burden for finding homeless pets a home falls on the HS shelter. She said there was no need to bring more pets, especially animals from puppy mills with medical problems, into the state from other countries, such as, the Ukraine.

Murray's pet shelter takes in stray, lost and found animals, however, the HS also receives complete surrendered pets, either due to impulse buying, behavioral or medical concerns, death of an owner, or just change of mind, so the HS acts as the guardian for those pets by covering all expenses until issues are resolved and animals are rehomed properly.

Mr. Critchfield shared a concern related to animal mill ordinances, by explaining other cities passed the ordinances right after horrific puppy mills were discovered in Chicago and the Midwest. Animals found in such inhumane conditions, were forced to reproduce repeatedly, to ship animals around the United States. He said this practice was not found in Utah.

Another concern he had was the regulatory position the city council represents when considering an ordinance like this. He thought the council might be going beyond what was already legislated and allowed in Utah. For example, if a commercial pet store moved into the city, the question might be asked on what basis the ordinance was passed by the city council.

The second part of the regulatory position was the message the Murray City Council would be sending to the state legislature - should the council pass a law that is not authorized by state law. He said there was no telling what the reaction might be from state legislators. The council would be telling a business what inventory was or wasn't appropriate. To his knowledge the city had never adopted such regulations in the past and it was hard to say what direction would be taken at the state level.

Mr. Hill expressed Mayor Camp's concerns about Murray passing the ordinance for the same reasons Attorney Critchfield stated. The mayor's preference would be to wait and see if any action was taken during the upcoming legislature session.

Mr. Nicponski said unless the HS goes directly to the legislature nothing would happen legislatively because most legislators are anti-humane society, anti-animal advocates and thought action would be slow on their part. Therefore, he thought the council should consider their role as a city, and utilize the regulatory authority they have by passing the ordinance.

Mr. Cox thought by giving future Murray pet store owners notice about the ordinance, a firm guideline would be respected, and mentioned the idling ordinance. He wondered if it was like the animal mill ordinance at the state level.

Mr. Critchfield explained the idle free ordinance was different because the state passed a law allowing cities the choice to adopt the idle free ordinance if they wanted to.

Ms. Turner discussed her desire to see plastic bags eliminated and explained what stopped her from pursuing a city ordinance was knowing the state could supersede the city ordinance. So, she was supporting a state senator to pass an ordinance banning plastic bags at the state level. Even though she thought banning plastic bags was the right thing to do, she did not want to put the city in jeopardy, by going above them - she considered the animal mill ordinance in the same manner.

Mr. Critchfield preferred the animal mill ordinance be passed at state or federal levels. He explained the federal government currently regulates licensed breeders, but organizations like the HS say federal regulations were not effective, due to a lack of federal enforcement. He identified with the HS because officers were not policing pet stores as often as they should. Overall, he thought the council should carefully consider adopting the ordinance and reiterated the ordinance was not explicated in state law.

2.3 Small Nuclear Reactor (SNR) Discussion – Diane Turner, Blaine Haacke, Michael Shea

In addition to cost related concerns, Ms. Turner wanted to provide further information the council had not heard in previous Committee of the Whole meeting during May 2018 and continue the discussion regarding SNR project.

Mr. Haacke explained financial details of the membership agreement, the cost of each phase, important deadlines and off-ramp options. He noted Murray had spent \$4,744 so far, which is the middle of the first phase and over the next 7-8 months the city will expend \$10,000 to continue exploring the resource further.

The first off-ramp opportunity, or chance to exit the project, is March 2019. He said the Utah Associated Municipal Power System (UAMPS) Committee, which is called the Carbon Free Power Project (CFPP) would decide as a group of 20-25 members, whether to continue with the project or not. Murray also has that opportunity to decide whether to go forward.

If UAMPS decides participation is not in the best interests of the entities, in March 2019, they can back out of the project and get 100% reimbursement from NuScale, the DOE, and all other awarded grant funding. As a result, Murray would get its money back, as well.

However, if UAMPS decides to continue forward and Murray does not, the city would not get reimbursed \$4,744 paid so far, and would be obligated to pay an additional \$10,000 as agreed. Therefore, the city must stay with the group to get 100% reimbursement.

When the council considers the resolution to approve the project contract in August, it authorizes the city to continue on until March of 2019, which is the next off ramp. Following that, the next off-ramp opportunity is in 2020, which requires a \$109,000 commitment. In summary, should Murray back out in May of 2020, the city would be obligated to pay a total of \$120,000.

Should Murray proceed with the group, those costs, including costs in June 2023 of \$827,172, would not come from Murray. Funding would be attained by short term notes through UAMPS and would eventually be part of the bonding for the project.

After the off-ramp date in 2023, bonding for the project would occur and the city would no longer be eligible for a 100% reimbursement. He stressed that at any point, if Murray takes the off-ramp and UAMPS continues with the project, Murray would not get a reimbursement.

He commented to research and examine a resource of this nature \$100,000 was not significant. He explained the city's power department is always exploring optional resources, such as, large scale solar, which costs several thousand dollars to research.

Mr. Haacke thought by 2023, when the cost for research would be at its greatest, he would know whether the price range of \$65 per megawatt would be attained. UAMPs determined the cost could be somewhere between \$45 and \$65 per megawatt for the nuclear power resource.

He noted the Intermountain Power Plant (IPP) project refueling from coal into natural gas is estimated to be between \$65 and \$70 per megawatt, which was comparable. He said it would be completed in the same time frame of 2027.

Ms. Turner noted SNR technology was brand new. Mr. Haacke agreed, the resource was new, however, the technology had been used in the past by nuclear submarines.

Mr. Shea, Senior Policy Associate, and Scott Williams, Executive Director of Heal Utah said their organization was 20 years old, which began in Tooele specializing in the destruction of biological chemical weapon and energy solutions. Current focus is to promote clean air climate, renewable energy and protects Utah from nuclear, toxic and dirty energy threats.

Mr. Shea shared a power point presentation and stated that Heal Utah's primary opposition to the SNR project is the waste issue. He said the product produces one of the most poisonous substances on the planet and has no long-term storage plan, meaning 1,000s to 10,000 years. He said this raises much concern, however, their hope was to present their stance from an energy and market perspective, as to why they do not think the SNR project Murray should invest in.

He explained the term 'Least Cost Least Risk' (LCLR) used by utility companies to describe the decision making process related to large scale investments. By balancing least cost options with projects that have the least risk, LCLR includes new generation, replacement generation, transmission, and load and demand side management.

He said UAMPS promotes positive attributes about SNRs, such as, they provide: reliable base load power, they are a carbon free power source, and they are their own generation source, meaning they isolate municipality from energy market fluctuations, and others.

A breakdown of 2017 energy pricing was shared to point out alternative cost effective energy resources. The following was noted regarding historical projects, which gave a general sense of pricing around the nation:

- Wind and solar are the cheapest.
- Wind \$30 - \$50 per megawatt hour (Mwh)
- Solar \$43 - \$48 Mwh
- Nuclear \$112 - \$183 Mwh (These prices represent large scale conventional projects.)

Mr. Shae noted current pricing in 2018 for wind and solar was in the low \$20 Mwh range. He said the above prices for wind and solar were unsubsidized and do not take into account production tax credits or investment tax credits, which are large subsidies that renewables get. He noted SNR's receive government loans, and there is a wide variety in the above pricing ranges based on location and specific projects.

He explained the Levelized Cost of Energy (LCOE), which is the averaging of electricity pricing over the lifetime of a project that can hide high up front capital costs in the first years of the project. This can happen because calculations are made without the interest rate, which would account for

the rise in costs over time. He said nuclear projects can put rate payers at risk because of high capital costs.

He said another potential hidden cost could be transmission costs, because large scale transmission lines from substations would be required.

The proposed site for the SNR is located about 3.5 miles from the nearest substation, so in order to get power to communities, scale down of power occurs. He explained converted energy first goes to the substation, then transfers to other transmission line, then connects to smaller transmission lines, which connect to distribution lines that eventually make their way to Murray.

Mr. Shae said according to UAMPS, to bring 500 to 700 MW of SNR energy on line, new transmission lines would need to be constructed that could cost approximately \$1 million to \$3 million dollars per mile. Pacific Corporation oversees the Antelope substation, which would need significant upgrades, and new construction to handle that much new generation.

Other hidden costs he noted were:

- Delays due to design innovation
- Infrastructure requirements
- Impact of innovative design
- Waste Issues
- Economic competitiveness
- Reduced emergency planning zone
- New generation of technology
- Limited market opportunities.

Mr. Hales asked if UAMPS was deliberately hiding costs.

Mr. Shae replied UAMPS was not intentionally deceiving members. However, when new technology comes to market it is almost impossible to see potential costs that could happen. He said other large utility companies in the Western United States are not looking at SNRs because they do not view the resource as a viable form of technology for providing low cost electricity.

In summary, Heal Utah's opinion is SNR projects do not meet LCLR criteria and there are other low cost generation options, so they are eager to work with Murray in choosing another alternative.

Mr. Brass drives an electric car and has solar panels but noted SNRs provide zero emissions and is a base resource 24 hours per day, seven days a week; he believed there was no other dependable resource available like SNR. For example, he said cloud cover often inhibits his solar panels, and therefore, the resource is not always reliable. And, when the wind stops blowing, relays trip on wind turbines causing entire areas to lose power for great lengths of time - as happened in West Texas. He stressed there must be a resource generating power at all time. He said Murray citizens need a reliable cost effective resource and if a clean environment is also a priority- zero emissions is the best option and currently there is no other alternative to SNR.

Mr. Shae affirmed the city was looking to replace only five megawatts of electricity, and from an engineering perspective, he thought the city should utilize wind or solar for such a small amount. He noted the city's wide variety of reliable resources already available in its portfolio.

Mr. Brass was not aware of any recycling program for solar panels, and expressed concern about solar panels that last only 15 years. Due to heavy metals inside solar panels, and hazardous waste they produce there is no way to recycle them. In addition, solar panels are one of the largest polluters in Massachusetts where they are manufactured.

Mr. Brass noted concerns regarding car batteries and the negative impact they have on the environment also, not only during manufacturing but also by disposing them as hazardous waste. He thought hidden costs could be found in every resource and it was important to find answers to address all these concerns.

Mr. Shea said there was no perfect way to generate energy and all resources come with a cost regarding production and waste harmful to the environment. However, he said the potential for harm from nuclear waste, vastly outweighs disposing of solar panels, because enriched uranium in SNR contaminates everything it comes in contact with.

Mr. Haacke stressed the SNR would not be located in Utah – it would be located in Idaho and trucks with uranium waste would never be traveling through Utah.

2.4 Metro Narcotics Task Force Budget – Danyce Steck

One year ago Murray City notified Chief Mike Brown with the Metro Narcotics Task Force, in Salt Lake City that as of June 30, 2017, Murray would no longer serve as the host funding agency for the Task Force - after doing so for 20 years.

Upon receipt of the resignation letter, the Task Force requested Murray provide more time for the transition of these duties - up to December 2017. In December 2017, the Task Force requested a second extension and named Salt Lake City as the agency that would accept the assignment as host funding agency. However, by June 14, 2018 Salt Lake City contacted Murray to report they were still not prepared to take over until November 2018, and therefore no budget was prepared.

Ms. Steck said state auditors begged Murray to prepare a budget because the Task Force would be operating without one. Because Murray supports the mission of the Task Force, the city agreed to act as temporary fiduciary agents until Salt Lake City can make the transition. Ms. Steck noted funding the Task Force was provided by grant money, so there would be no financial cost to the city to act as the host funding agency, other than staff preparing the budget.

The council would consider the budget amendment in a future council meeting, in order for the Task Force to continue in their activities in FY 2019.

2.5 Murray City Center District (MCCD) Ordinance Modifications to Density, Lighting, and Parking – Tim Tingey

The council previously requested more detailed parameters because currently there are no maximum height limits or density limits in the MCCD area. The discussion was a follow-up to review modifications related to density, lighting and parking in the MCCD.

Mr. Tingey reported the ordinance had gone through the process with the MCCD Design Review Committee and the Planning Commission for recommendations, and the proposed changes coincide with the Wasatch Front Regional Council planning effort to establish urban centers in the MCCD.

The MCCD has strict design standards related to width, area, and side yard regulations, as well as, building design, scaling and landscaping. Therefore, Mr. Tingey reviewed the proposed changes to amend the ordinance related to the following standards in developing the MCCD:

- Location - Structures must be within one half mile from bus rapid transit and light rail.
- Parking - Can be located along street edge, configured in different areas, and adjacent to buildings to provide parking for multiple uses. Four-story municipal and public buildings require some parking within perimeters of the facility or provide a parking structure 750 feet from the main building.
- Residential Density - Maximum shall not exceed 80 units per acre.
- Height Regulations - Buildings not to exceed 10 stories or 135 feet, whichever is less.
- Podiums - Required at third-floor on buildings six stories or greater.
- Podium Step-Back Components - Maximum 20 feet, minimum 15 feet.
- Landscaping, Setbacks and Plaza Components - Must be 15% of all developed projects.
- Lighting – Poles should not be taller than 16 feet in the MCCD. Arterial roads allow light poles 23 feet in height, positioned in a downward shielded manner.

The council would consider the ordinance during a council meeting.

2.6 Transit Oriented Development (TOD) Ordinance Modifications to Lighting – Tim Tingey

Mr. Tingey said proposed lighting standards for the TOD are the same as noted above in the MCCD Ordinance, however, lighting fixtures may look different.

2.7 Mixed-Use Ordinance Modifications to Lighting - Tim Tingey

Mr. Tingey said proposed lighting standards for Mixed-Use areas are the same as noted above in MCCD and the TOD Ordinance.

Mr. Brass addressed street lights that are 23 feet tall, which would be positioned downward to shield light on arterial roads and wondered if this was enough to keep light from reflecting into apartment windows during night time hours.

Mr. Tingey said there was nothing else beyond what had already been considered during the design process that included another type of lighting, and there was no specific standard guideline at this point.

Mr. Brass suggested further research be considered to find a better way of spreading light, in order to keep street pole lights from shining into residents' windows.

3. **Announcements:** Ms. Lopez made several announcements related to coming events for the council members.
4. **Adjournment:** 6:13 p.m.

Pattie Johnson
Council Office Administrator II

ATTACHMENT #1



MURRAY
PUBLIC
SERVICES

Be Bright, Recycle Right!

Paper & Cardboard ♻️ Aluminum & Steel ♻️ Plastic Bottles & Containers



Paper & Cardboard

Office Paper Junk Mail Magazines Newspaper Paper Bags Paperboard Boxes
Cardboard Egg Cartons Cardboard Clean Pizza Box Lids



Aluminum & Steel

Empty Aerosol Cans
Aluminum Cans Steel Cans



Plastic Bottles & Containers

Containers & Lids
Food Bottles & Containers
Drink Bottles
Plastic Jugs



NO plastic bags,
foam, or glass!

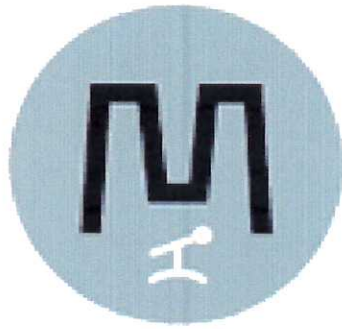
KEEP IT CLEAN! All items
must be free of food & liquids.

Recycling Questions? Visit Transjordan.org/recycle



Draper • Midvale • Murray • Riverton • Sandy • South Jordan • West Jordan
Collectively dedicated to conserving resources for a sustainable future.





MURRAY
CITY COUNCIL

Discussion Item #1

Murray City Municipal Council

Request for Council Action

INSTRUCTIONS: The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

1. **TITLE:** (Similar wording will be used on the Council meeting agenda.)

Salary Discussion with Judge Paul Thompson

2. **KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)

3. **MEETING, DATE & ACTION:** (Check all that apply)

☐ Council Meeting OR ☒ Committee of the Whole

☒ Date requested September 18, 2018

☒ Discussion Only

☐ Ordinance (attach copy)

Has the Attorney reviewed the attached copy? ☐

☐ Resolution (attach copy)

Has the Attorney reviewed the attached copy? ☐

☐ Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? ☐

☐ Appeal (explain) _____

☐ Other (explain) _____

4. **FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

To be determined.

5. **RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

HR Memo, Human Resource Salary and Case Filings Comparison, Letter Administrative Office of the Courts Utah State Code section, and Four-Year Salary History.

6. **REQUESTOR:**

Name: Janet M. Lopez

Title: Council Executive Director

Presenter: Mike Terry

Title: Human Resource Director

Agency: Murray City Corporation

Phone: 801-264-2622

Date: September 6, 2018

Time: 12:08 p.m.

7. **APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director:  Date: September 6, 2018

Mayor: _____ Date: _____

8. **COUNCIL STAFF:** (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:**



MURRAY CITY CORPORATION
HUMAN RESOURCES

Mike Terry, Human Resource Director

801-264-2656 FAX 801-264-2625

MEMO

To: Murray City Municipal Council
From: Mike Terry
Subject: Judge Paul Thompson Salary Information
Date: August 24, 2018

To aid in your discussion regarding the Judge's salary, I wanted to provide you with some background information as to the special rules we must follow.

Utah Code 78A-7-206 states that a full-time justice court judge's salary must fall between 50%-90% of a district court judge's annual salary, which as of July 1, 2018 was set by the legislature at \$166,300.

That gives municipalities the flexibility to pay a full-time justice court judge at their discretion a salary between \$83,150-\$149,670 depending on the experience, tenure, and workload of the judge.

Judges must also receive annual salary increases at least equal to those received by other city employees. Judge Thompson received a 2% COLA on July 1, 2018.

The attached chart shows a list of Salt Lake County justice court judges, as well as a few larger courts from other counties for comparison. Judge Thompson is currently earning \$124,051 which is about in the middle of other Salt Lake County judges.

Case filings are broken down into three categories: Criminal, Civil, and Traffic. Since most of the traffic cases are resolved through fines, the judge isn't involved in those cases. Therefore, it is probably prudent to look at the combination of Criminal and Civil cases that always require the judge's time, and in many of those cases multiple visits to court are required. Mike Williams and Judge Thompson would be better equipped to speak to that topic.

Please let me know if you need anything else.

**JUSTICE COURT JUDGES
SALARY AND CASE FILINGS COMPARISON
AUGUST 24, 2018**

| AGENCY | # | ANNUAL SALARY | | | CRIMINAL | CIVIL | CASE FILINGS | | TOTAL |
|------------------|----------|------------------|------------------|------------------|-------------|-------------|------------------|-------------|-------------|
| | | LOWEST | HIGHEST | AVERAGE | | | CRIMINAL / CIVIL | TRAFFIC | |
| WEST JORDAN | 1 | \$149,670 | \$149,670 | \$149,670 | 2222 | 471 | 2693 | 7532 | 12918 |
| WEST VALLEY | 2 | \$107,590 | \$134,365 | \$120,978 | 3264 | 2695 | 5959 | 8177 | 20095 |
| SANDY | 1 | \$134,244 | \$134,244 | \$134,244 | 1369 | 815 | 2184 | 17639 | 22007 |
| SOUTH SALT LAKE | 1 | \$125,664 | \$125,664 | \$125,664 | 1447 | 208 | 1655 | 5167 | 8477 |
| SALT LAKE COUNTY | 1 | \$124,916 | \$124,916 | \$124,916 | 1969 | 1137 | 3106 | 4814 | 11026 |
| MURRAY | 1 | \$124,051 | \$124,051 | \$124,051 | 1286 | 1194 | 2480 | 6663 | 9143 |
| SALT LAKE CITY | 5 | \$121,264 | \$121,264 | \$121,264 | 12305 | 8414 | 20719 | 25381 | 66819 |
| TAYLORSVILLE | 1 | \$121,179 | \$121,179 | \$121,179 | 873 | 753 | 1626 | 8686 | 11938 |
| HOLLADAY | 1 | \$113,733 | \$113,733 | \$113,733 | 865 | 114 | 979 | 4592 | 6550 |
| SOUTH JORDAN | 1 | \$110,901 | \$110,901 | \$110,901 | 788 | 108 | 896 | 3933 | 5725 |
| MIDVALE | 1 | \$110,184 | \$110,184 | \$110,184 | 966 | 658 | 1624 | 6411 | 9659 |
| DRAPER | 1 | \$101,650 | \$101,650 | \$101,650 | 673 | 102 | 775 | 8511 | 10061 |
| RIVERTON | 0.5 | \$45,638 | \$45,638 | \$45,638 | 272 | 87 | 359 | 1328 | 2046 |
| HERRIMAN | 0.5 | \$28,000 | \$28,000 | \$28,000 | 171 | 34 | 205 | 1402 | 1812 |
| BLUFFDALE | 0.5 | \$27,000 | \$27,000 | \$27,000 | 202 | 30 | 232 | 1686 | 2150 |
| ALTA | 0.5 | \$4,989 | \$4,989 | \$4,989 | 7 | 0 | 7 | 326 | 340 |
| PROVO | 1 | \$149,670 | \$149,670 | \$149,670 | 2173 | 2179 | 4352 | 7682 | 16386 |
| OGDEN | 2 | \$142,014 | \$147,485 | \$144,750 | 3178 | 2427 | 5605 | 11005 | 22215 |
| OREM | 1 | \$142,585 | \$142,585 | \$142,585 | 1707 | 712 | 2419 | 13100 | 17938 |
| DAVIS COUNTY | 1 | \$133,432 | \$133,432 | \$133,432 | 987 | 932 | 1919 | 8317 | 12155 |
| UTAH COUNTY | 2 | \$114,803 | \$114,803 | \$114,803 | 1609 | 325 | 1934 | 8425 | 12293 |

Ogden and West Valley pay their judges based on tenure

Alta, Bluffdale, Herriman and Riverton have part-time judges



Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

April 2, 2018

Richard H. Schwermer
State Court Administrator
Ray Wahl
Deputy Court Administrator

Mayor D. Blair Camp
Murray City
5025 S. State St.
Murray, UT 84107

Dear Mayor Camp,

Each year, the Administrative Office of the Courts is required to provide a salary range for justice court judges to each local government with a justice court. Section 78A-7-206 of the Utah Code allows each city or county to set the salary of its full-time justice court judge(s) between 50% and 90% of the annual salary of a district court judge. Effective July 1, 2018, the annual salary of a district court judge is \$166,300. As such, statute requires the salary of a full-time justice court judge to be between \$83,150 and \$149,670.

In addition to the foregoing parameters, please consider the following when determining the actual salary of your judge.

- The range merely provides baseline salary parameters for your judge. Salaries should reflect the experience, tenure as a judge and the vast array of services he or she provides to the community.
- Statute requires that each judge receive an annual salary adjustment at least equal to the average adjustment for all county or municipal employees in the jurisdiction served by that judge.
- Despite fluctuations in workload, the Utah State Constitution does not permit a judge's salary to be reduced during his or her terms in office.
- Those employed as a justice court judge by more than one jurisdiction may not receive a combined salary for services as a judge that exceeds \$166,300.

In addition to providing salary ranges each year for justice court judges, the Administrative Office of the Courts is required to review the annual compensation of each justice court judge. **Pursuant to Section 78A-7-207(3) of the Utah Code please provide documentation in the form of a resolution or correspondence on official letterhead which establishes the current salary of the judge in your justice court, together with the amount he or she will be making as of July 1, 2018.** Please note that complying with this statute is a prerequisite for ongoing certification.

This salary information should be emailed to Melisse Stiglich at melisses@utcourts.gov no later than Friday, May 11, 2018. If you have any questions regarding the calculation of the judicial workload, the determination of the judge's salary or the annual review of salary data, please contact Ms. Stiglich at (801) 578-3844. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Schwermer', with a long horizontal flourish extending to the right.

Richard H. Schwermer
State Court Administrator

cc: Honorable Judge Paul Thompson

Reference: UCA §78A-7-206
UCA §78A-7-207

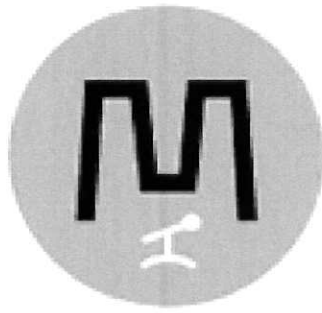
78A-7-206 Determination of compensation and limits -- Salary survey -- Limits on secondary employment -- Prohibition on holding political or elected office -- Penalties.

- (1) Every justice court judge shall be paid a fixed compensation determined by the governing body of the respective municipality or county.
 - (a) The governing body of the municipality or county may not set a full-time justice court judge's salary at less than 50% nor more than 90% of a district court judge's salary.
 - (b) The governing body of the municipality or county shall set a part-time justice court judge's salary as follows:
 - (i) The governing body shall first determine the full-time salary range outlined in Subsection (1)(a).
 - (ii) The caseload of a part-time judge shall be determined by the office of the state court administrator and expressed as a percentage of the caseload of a full-time judge.
 - (iii) The judge's salary shall then be determined by applying the percentage determined in Subsection (1)(b)(ii) against the salary range determined in Subsection (1)(a).
 - (c) A justice court judge shall receive an annual salary adjustment at least equal to the average salary adjustment for all county or municipal employees for the jurisdiction served by the judge.
 - (d) Notwithstanding Subsection (1)(c), a justice court judge may not receive a salary greater than 90% of the salary of a district court judge.
 - (e) A justice court judge employed by more than one entity as a justice court judge, may not receive a total salary for service as a justice court judge greater than the salary of a district court judge.
- (2) A justice court judge may not appear as an attorney in any:
 - (a) justice court;
 - (b) criminal matter in any federal, state, or local court; or
 - (c) juvenile court case involving conduct which would be criminal if committed by an adult.
- (3) A justice court judge may not hold any office or employment including contracting for services in any justice agency of state government or any political subdivision of the state including law enforcement, prosecution, criminal defense, corrections, or court employment.
- (4) A justice court judge may not hold any office in any political party or organization engaged in any political activity or serve as an elected official in state government or any political subdivision of the state.
- (5) A justice court judge may not own or be employed by any business entity which regularly litigates in small claims court.
- (6) The Judicial Council shall file a formal complaint with the Judicial Conduct Commission for each violation of this section.

Amended by Chapter 205, 2012 General Session

**Murray City Judge's Salary
History**

| Fiscal Year | Citywide Increase given | Total Wages \$ Without Benefits |
|--------------------|--------------------------------|--|
| 2016 | 1% COLA 2% Merit | 111,332 |
| 2017 | 1% COLA 4% Merit | 116,958 |
| 2018 | 1% COLA 3% Merit | 121,638 |
| 2019 | 2% COLA | 124,051 |
| | | |
| | | |
| | | |



MURRAY
CITY COUNCIL

Discussion Item #2

Murray City Municipal Council

Request for Council Action

INSTRUCTIONS: The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

1. **TITLE:** (Similar wording will be used on the Council meeting agenda)

Power Department Report

2. **MEETING, DATE & ACTION:** (Check all that apply)

☐ Council Meeting OR ☒ Committee of the Whole

☐ Date requested _____

☒ Discussion Only

☐ Ordinance (attach copy)

Has the Attorney reviewed the attached copy? _____

☐ Resolution (attach copy)

Has the Attorney reviewed the attached copy? _____

☐ Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? _____

☐ Appeal (explain) _____

☐ Other (explain) _____

3. **ATTENDING POLICY:** (This Section is not required until after the City-wide Strategic Plan is completed – toward the end of 2011) (Please explain how request relates to city-wide policy)

4. **FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

5. **RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

See attached memo for discussion topics

6. **REQUESTOR:**

Name: Blaine Haacke

Title: General Manager

Presenter: Blaine Haacke

Title: General Manager

Agency: Power

Phone: 801-964-2728

Date: September 4, 2018

Time: _____

7. **APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director:

Blaine Haacke

Date:

9-4-18

Mayor:

[Signature]

Date:

9/6/18

8. **COUNCIL STAFF:** (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:**

Memorandum



TO: Mayor Blair Camp & City Council

FROM: Blaine Haacke

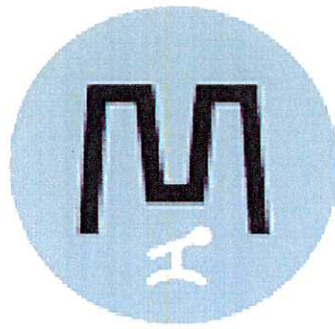
BH

DATE: September 4, 2018

SUBJECT: Power Department Report

For the September 18th Committee of the Whole, the following items will be discussed—time permitting.

- Carbon Free Power Project –SMR & status of agreement
- IPA status of the re-powering of the plant & the partnership with the California cities
- Status of the negotiation & procurement of a large scale solar project and Murray's interest in a long-term power purchase agreement (PPA)
- Major capital expenditures that are out to bid or purchased
- Summer 2018 review of our resource load and the generation of the turbine plant & of the hydro facility



MURRAY
CITY COUNCIL

Discussion Item #3

Murray City Municipal Council

Request for Council Action

INSTRUCTIONS: The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

1. TITLE: (Similar wording will be used on the Council meeting agenda.)

Discussion on a request for reimbursement by J.R. Miller Enterprise Inc. for services provided under the Exclusive Development Agreement dated November 17, 2015.

2. KEY PERFORMANCE AREA: (Please explain how request relates to Strategic Plan Key Performance Areas.)

Well maintained, planned and protected infrastructure and assets

3. MEETING, DATE & ACTION: (Check all that apply)

☐ Council Meeting OR ☒ Committee of the Whole

☒ Date requested September 18, 2018

☐ Discussion Only

☐ Ordinance (attach copy)

Has the Attorney reviewed the attached copy? ☐

☐ Resolution (attach copy)

Has the Attorney reviewed the attached copy? ☐

☐ Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? ☐

☐ Appeal (explain) _____

☐ Other (explain) _____

4. FUNDING: (Explain budget impact of proposal, including amount and source of funds.)

5. RELATED DOCUMENTS: (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

Memo,

6. REQUESTOR:

Name: Tim Tingey

Title: Administrative and Development Services Director

Presenter: Tim Tingey

Title: Administrative and Development Services Director

Agency: Murray City

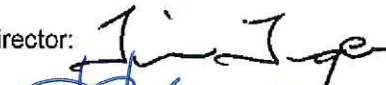
Phone: 2680

Date: 09/05/2018

Time: 4:00 pm

7. APPROVALS: (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director:



Date: 9/5/18

Mayor:



Date: 9/6/18

8. COUNCIL STAFF: (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. NOTES:



MURRAY CITY CORPORATION
ADMINISTRATIVE &
DEVELOPMENT SERVICES

B. Tim Tingey, Director

Building Division
Community & Economic Development
Geographic Information Systems
Information Technology

Recorder Division
Treasurer Division
Facilities Management

TO: Mayor Camp
City Council

FROM: Tim Tingey, Director, Administrative and Development Services

DATE: September 5, 2018

RE: Reimbursement Request from J.R Miller/Dakota Pacific LLC

I am writing regarding the request for reimbursement of costs for services submitted on August 1, 2018 by John Miller from J.R. Miller Enterprises Inc (See Attachment 1). As you are aware, Murray City Corporation, and the Redevelopment Agency of Murray (RDA) entered into an Exclusive Developer Agreement on November 17, 2005 with J.R. Miller Enterprises. The focus of the agreement was to work with the developer in the Murray City Center District for a period of eighteen to twenty-four months to facilitate multiple public and private projects in the Murray City Center District (MCCD).

The Agreement had provisions outlining how the developer would work with the City and Redevelopment Agency to accomplish the following items:

- a new City Hall and related office space;
- a new art center facility through a potential conversion of the existing Murray City Theater or development at the corner of 4800 South and State Street;
- one or more new parks and/or open spaces;
- the commercial or residential projects to be constructed by the Developer located within the Murray City Center District;
- one or more new parking structures;
- new utilities, roads, curbs and sidewalks, storm water pipes and detention basins, and all other infrastructure for the city office space, public open spaces, and/or the private projects;
- purchase, sale or development of City or RDA property in the MCCD;
- analysis, estimates and other information to assist in moving forward with future development agreements and projects for the area;

Over the two-year period there were multiple projects that did not come to fruition as contemplated in the agreement. However, during the timeframe of the agreement, there was progress made in moving forward projects in the area including:

- acquisition of 34 parcels in the downtown area by the City and RDA;
- demolition and clean-up of multiple problem properties in the area;
- preliminary programming for a new city hall;
- acquisition of key historic properties;
- surveying and environmental work on multiple properties in the area;
- relocation projects for construction of a new fire station and Hanauer Street;
- parking study for future downtown projects;
- prepared plans and submitted proposals for three major anchor projects;
- expansion of the Central Business District urban renewal tax collection area;
- bonding for acquisition.

Portions of the work accomplished came from services provided by the developer that led to progress in facilitating future development of the downtown. The following is information the developer provided for the requested reimbursement:

1. **Mapping and Assemblage Tracking** (Amount Requested \$34,852)—this includes maps and documents related to property acquisition for public projects including possible right-of-way configurations for the overall site;
2. **REPC Field Team** (\$92,800)—administrative costs, for field work, appraisals and other documents for property acquisition;
3. **Earnest Money** (\$48,316) —costs for relocation of tenants on property purchased by the Redevelopment Agency (RDA). Also, includes earnest money reimbursements that did not occur on properties purchased by the City/RDA;
4. **Legal Fees – REPC – and Title Review** (\$68,046) —costs incurred for legal and title services for properties assigned to the RDA;
5. **Due Diligence** (\$60,894)—costs for geo-spatial work on the site, environmental consulting including geo-technical and phase 1 reports for property acquisitions;
6. **Architecture, Design and Engineering – City Office Building** (\$88,500)—includes architectural, engineering and planning work for the proposed City hall building;
7. **Land Planning and Landscape Architecture** (\$132,403)—site planning, including design layouts, cost information and relocation scenarios;
8. **Legal Fees for All Agreements** (\$111,500)—title and legal fees associated with the property and lease scenarios for parking facilities and other agreements contemplated in the process;
9. **Anchor Leases in Process** (\$37,500)—consulting services for leasing information contemplated for projects in the area. It also included architectural services for design elements of the historic structures on State Street;
10. **Structural Survey and Preliminary Design** (\$21,625)—survey and design work for an office project proposed on 4800 South and State Street on RDA owned property;
11. **Bonneville Consulting** (\$2,550)—evaluation of tax increment projections for projects;
12. **Cancellation Fee** (\$250,000)—this fee includes all other services provided by the staff and resources from J.R. Miller Enterprises.

In anticipation of the reimbursement request for services the City Council approved \$1,200,000 for the development services outlined in the contract. City Staff has evaluated the reimbursement request which includes hundreds of pages of information and has determined that their documentation categories (Attachment 2), includes items accounted for in the Exclusive Developer Agreement. Additionally, their requested funding for the services is \$948,987 which is within our budgetary guidelines for their services.

Based on this information, our Attorney's office is preparing a closeout document regarding the Exclusive Developer Agreement and we will pay the funding for services requested. I will be at the Committee of the Whole meeting on September 18th to review the submittal. If you have any questions prior to the meeting, please contact me.

Attachment 1

August 1, 2018

The Honorable D. Blair Camp, Mayor
MURRAY CITY CORPORATION
5025 South State Street
Murray, Utah 84107

Re: *Exclusive Developer Agreement dated November 17, 2015 (the "EDA") among J.R. Miller Enterprises, Inc. (the "Developer"), the Redevelopment Agency of Murray City (the "RDA") and Murray City Corporation (the "City")*

Dear Mayor Camp:

We are grateful for the opportunity to have partnered with you on this historic project. It is with sadness that we now move forward in different directions. We apologize for the delay in providing the schedule of our reimbursable costs, but we endeavored to be as accurate and fair as possible and that required additional time on our part. In connection with the EDA and Exhibit E (Post RFQ Costs – Developer Reimbursement Budget), as provided in Section 6 of the EDA, we respectfully submit for reimbursement the Expense Reimbursement for third party out-of-pocket costs incurred by the Developer as is set forth below.

Please find attached a summary page outlining the reimbursement requests, which total \$948,987, together with a summary of many of the significant actions taken on the project. Fifteen supporting binders are also being delivered. The first binder contains the invoices supporting the reimbursement request and the 14 additional binders contain all supporting material (useable by Murray City as outlined in Exhibit E to the EDA). The 15 binders will be delivered to Murray City as hard copies as well as electronic versions contained on a flash drive with a link to access all information presented. We trust those items will be useful to you.

The costs in the reimbursement submittal represent the third party out-of-pocket expenses incurred and paid by the Developer up to an amount that is equal to or less than the cap outlined in Exhibit E of the EDA in connection with pursuing the components of the MCCD Project. These expenses do not include costs for the Private Projects.

We do not seek and do not expect reimbursement for those other significant efforts and expenses incurred by the Developer in assisting Murray City and the RDA to realize the vision for the redevelopment of the Murray City Center District into the commercial, civic and culture center for the community, including the mixed-use district enhancing the physical, social and economic relationships. Those efforts and expenses were part of our contribution as a partner participating in the development of the exciting future of Murray.

As you are aware, those expenses include, but are not limited to, internal salaries & overhead expenses and third party out-of-pocket expenses related to Private Projects that we pursued in an effort to accomplish the mixed-use vision of Murray City and the RDA.

Our submission does not include a request for payment of a Development Fee for Development Services for costs related to the new City Hall, that included land planning, architectural design, cost estimating, space programming, together with all related site work,

landscaping and public amenities where Murray City had an **Exclusive Agreement** (emphasis added) to deal only with the Developer as outlined in Section 1 and Section 1(a) of the EDA. The potential to earn fees for such Development Services are contemplated in the Request for Qualifications and Concepts (RFQ-C #15-02) issued by Murray City and the RDA, the Developers response to Murray City's RFQ-C, and the Exclusive Developer Agreement signed by Murray City, the RDA, and the Developer.

Notwithstanding the substantial costs expended we are providing Murray City and the RDA the right to use and access to these materials that the Developer has paid for (both electronically and in hard copy) at no additional charge.

The Expenses Reimbursements and fees for Development Services are material expenses paid by the Developer and, were reimbursement requested, they would obviously significantly increase the amount of our reimbursement request. We hope this illustrates our good faith in seeking the amounts requested.

I am sure you recall that during the three-year period we worked with Murray City and the RDA, we attempted multiple times to invest capital in projects. A few of these examples include our offer to buy Murray City and RDA Property plus additional private properties for approximately \$16M in August of 2016. In January of 2017 we submitted multiple legal drafts of a Development Agreement to Murray City and the RDA to build an office building and parking structure on the corner of 48th and State. At the time we had commitments from tenants to lease 50% of the office building and we had received from Murray City the Certificate of Appropriateness. These examples illustrate not only our enthusiasm for the project but our financial commitment.

As presented on March 16, 2018 to Murray City and the RDA, in this time period we were able to invest over \$280 Million of capital in 10 other projects unrelated to Murray City. We continue to have capital to invest and would welcome the opportunity to work together on future projects.

Also, thank you for all your time, efforts and expenses to move toward the goals and objectives we started together. I am sure that we all feel disappointed that collectively we were not able to make more progress in Murray City. Should you have any questions regarding our reimbursement submission, we are available to answer any questions you may have.

Sincerely,

J.R. Miller Enterprises, Inc.

By: 

Its: 

cc: Dave Nicponski, Council District 1
Dale Cox, Council District 2
Jim Brass, Council District 3
Diane Turner, Council District 4/Council Chair
Brett Hales, Council District 5/Redevelopment Agency Chair
Tim Tingey, Redevelopment Agency Executive Director

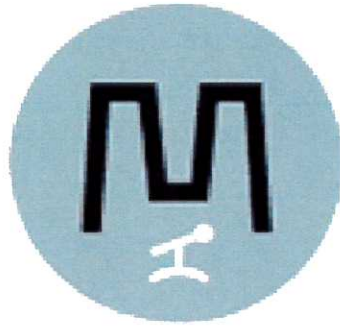
Attachment 2

Dakota Pacific Murray Expenses Incurred & Allocated According to Exclusive Developer Agreement Categories

August 1, 2018

| # | Category | Total Spend | Reimbursed by City for Closed Parcels | Remainder to of Total Spend | Maximum Cap | Remaining Cap / (Over Cap) | Amount Owed |
|---------------|--|------------------|---|--------------------------------|------------------|----------------------------------|----------------|
| 1 | Mapping and Assemblage Tracking | 36,900 | - | 36,900 | 34,852 | (2,048) | 34,852 |
| 2 | REPC Field Team | 92,800 | - | 92,800 | 93,000 | 200 | 92,800 |
| 3 | Earnest Money | 205,416 | 157,100 | 48,316 | 350,000 | 144,584 | 48,316 |
| 4 | Purchase Payments | - | - | - | 2,000,000 | 2,000,000 | - |
| 5 | Legal Fees - REPC - and Title Review | 126,359 | 24,954 | 101,405 | 93,000 | (33,359) | 68,046 |
| 6 | Due Diligence | 92,564 | 31,670 | 60,894 | 93,000 | 436 | 60,894 |
| 7 | Architecture - Design and Engineering - City Office Building | 100,750 | - | 100,750 | 88,500 | (12,250) | 88,500 |
| 8 | Land Planning and Landscape Architecture | 132,403 | - | 132,403 | 133,650 | 1,247 | 132,403 |
| 9 | Housing | - | - | - | 15,000 | 15,000 | - |
| 10 | Legal Fees for All Agreements | 199,417 | - | 199,417 | 111,500 | (87,917) | 111,500 |
| 11 | Anchor Leases In Process | 39,171 | - | 39,171 | 37,500 | (1,671) | 37,500 |
| 12 | Architecture - Design and Engineering - Performing Arts Corner | - | - | - | 45,000 | 45,000 | - |
| 13 | Structural Survey and Preliminary Design | 21,625 | - | 21,625 | 24,440 | 2,815 | 21,625 |
| 14 | Bonneville Consulting | 2,550 | - | 2,550 | 7,500 | 4,950 | 2,550 |
| 15 | Cancellation Fee (\$250,000) | 250,000 | - | 250,000 | 250,000 | - | 250,000 |
| Totals | | 1,299,955 | 213,724 | 1,086,231 | 3,376,942 | 2,076,987 | 948,987 |

**This schedule does not include any salaries or operating costs for JR Miller Enterprises, Inc. (or any of its affiliates), development fees related to the design of the city office building, or \$94,593 spent on the RFQ.*



MURRAY
CITY COUNCIL

Discussion Item #4

Murray City Municipal Council

Request for Council Action

INSTRUCTIONS: The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

1. TITLE: (Similar wording will be used on the Council meeting agenda.)

PUBLIC SERVICES ORDINANCE 13.08.120 "WASTING WATER PROHIBITED" PROPOSED AMENDMENT

2. KEY PERFORMANCE AREA: (Please explain how request relates to Strategic Plan Key Performance Areas.)

FINANCIALLY SUSTAINABLE; WELL MAINTAINED, PLANNED AND PROTECTED INFRASTRUCTURE AND ASSETS

3. MEETING, DATE & ACTION: (Check all that apply)

____ Council Meeting OR X Committee of the Whole

Date requested SEPTEMBER 18, 2018

X Discussion Only

X Ordinance (attach copy)

Has the Attorney reviewed the attached copy?

X

____ Resolution (attach copy)

Has the Attorney reviewed the attached copy?

____ Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy?

____ Appeal (explain)

____ Other (explain)

4. FUNDING: (Explain budget impact of proposal, including amount and source of funds.)

N/A

5. RELATED DOCUMENTS: (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

MEMO, PROPOSED AMENDMENT

6. REQUESTOR:

Name: DANNY ASTILL Title: PUBLIC WORKS DIRECTOR

Presenter: DANNY ASTILL Title: PUBLIC WORKS DIRECTOR

Agency: MURRAY CITY Phone: 801-270-2404

Date: JUNE 13, 2018 Time: _____

7. APPROVALS: (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director:  Date: SEPTEMBER 10, 2018

Mayor: _____ Date: _____

8. COUNCIL STAFF: (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. NOTES:



MEMO

To: Mayor Blair Camp
From: Danny Astill, Public Works Director
Cc: Doug Hill, Chief Administrative Officer
Jennifer Heaps, Communications and Public Relations
Date: September 10, 2018
Subject: Public Services Ordinance 13.08.120 "Wasting Water Prohibited" proposed amendment.

Attached is a proposed amendment to the Public Services Ordinance 13.08.120, "Wasting Water Prohibited".

- Council Action Form.
- Proposed Amendment to Ordinance 13.08.120, titled "Wasting Water Prohibited".

As a condition of obtaining the \$8,054,000 Bond from the Board of Water Resources, the City needed to have an ordinance prohibiting the use of pressurized irrigation systems between the hours of 10:00 am to 6:00 pm daily. We are requesting time to come before the City Council for discussion only.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 13.08.120 OF THE MURRAY CITY
MUNICIPAL CODE RELATING TO DAYTIME LANDSCAPE WATERING

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to amend section 13.08.120 of the Murray City Municipal Code relating to the prohibition of daytime landscape watering.

Section 2. Amend section 13.08.120. Section 13.08.120 of the Murray City Municipal Code shall be amended to read as follows:

13.08.120: WASTING WATER PROHIBITED:

A. It is unlawful for any water user to use water in violation of the rules and regulations promulgated by the City for controlling the water supply, in violation of any provisions of this chapter, or to waste water or allow it to be wasted by:

1. Imperfect stops, valves, leaky joints of pipes;
2. Allowing tanks or watering troughs to leak or overflow;
3. Wastefully running water from hydrants, faucets stops, basins, water closets, urinals, sinks or other apparatus; or
4. Using the water for purposes other than those for which the person has paid.

B. A violation of any of the provisions of this section A is a Class B misdemeanor.

C. The pressurized irrigation of landscapes between the hours of 10:00 a.m. and 6:00 p.m. is prohibited. A violation of this provision is an Infraction.

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this
____ day of _____, 2018.

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2018.

D. Blair Camp, Mayor

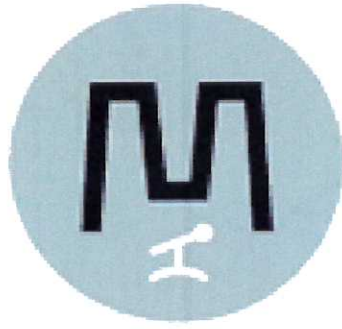
ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

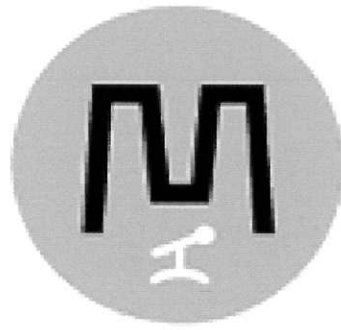
I hereby certify that this Ordinance, or a summary hereof, was published according to
law on the ____ day of _____, 2018.

Jennifer Kennedy, City Recorder



MURRAY
CITY COUNCIL

Adjournment

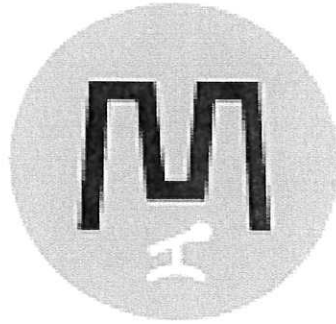


MURRAY
CITY COUNCIL

Council Meeting 6:30 p.m. Call to Order

Opening Ceremonies:

Pledge of Allegiance



MURRAY
CITY COUNCIL

Council Meeting Minutes

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 14th day of August, 2018 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The meeting was conducted by Jim Brass

Council Members Present:

Dave Nicponski, Council District 1
Dale Cox, Council District 2
Jim Brass, Council District 3
Diane Turner, Council District 4/Council Chair
Brett Hales, Council District 5

City Staff Present:

Blair Camp, Mayor
Jennifer Kennedy, City Recorder
G.L. Critchfield, City Attorney
Janet Lopez, Council Administrator
Pattie Johnson, City Council
Doug Hill, Chief Administrative Officer
Jennifer Heaps, Communications and Public Relations Director
Craig Burnett, Police Chief
Jon Harris, Fire Chief
Chad Pascua, Assistant Fire Chief
Katie Lindquist, Parks and Recreation
Danyce Steck, Finance Director
Brenda Moore, Controller
Tim Tingey, Administrative and Development Services (ADS) Director
Mike Terry, Human Resources Director
Kim Fong, Library Director
Danny O'Rourke, Assistant Library Director

Other's in Attendance:

Scouts
Citizens

Mr. Brass called the meeting to order at 6:30 p.m. He asked for a moment of silence to honor Draper City Fire's Battalion Chief, Matt Burchett, who was killed in the line of duty while helping with the fires in California.

5. Opening Ceremonies

5.1 Pledge of Allegiance

The Pledge of Allegiance was led by Craig Burnett, Police Chief.

5.2 Approval of Minutes

5.2.1 Council Meeting – July 17, 2018

MOTION: Mr. Cox moved to approve the minutes. The motion was SECONDED by Ms. Turner. Voice vote taken, all "ayes."

5.3 Special Recognition

Mr. Brass asked the scouts in attendance to introduce themselves.

5.3.1 Murray City Council Employee of the Month, Danny O'Rourke, Assistant Library Director.

Staff Presentation: Brett Hales, Council Member and Kim Fong, Library Director

Mr. Hales said the Council started the Employee of the Month program because they felt it was important to recognize the city's employees. He presented Mr. O'Rourke with a certificate, a \$50 gift card and told him that his name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Mr. O'Rourke for all he does for the city.

Ms. Fong spoke about Mr. O'Rourke's job responsibilities and everything he does for the Murray Library.

5.3.2 Swearing-In Assistant Fire Chief, Chad Pascua.

Staff Presentation: Jon Harris, Fire Chief and Jennifer Kennedy, City Recorder

Chief Harris introduced Mr. Pascua and spoke about his career with the fire department.

The Swearing-In Ceremony was conducted by Jennifer Kennedy.

Mr. Pascua thanked Chief Harris for this opportunity and introduced his family.

Mayor Camp spoke about how Mr. Pascua helped start the paramedic

program when he started working for the city.

6. Citizen Comments – Comments are limited to 3 minutes unless otherwise approved by the Council.

Kenton Knorr – Murray City, Utah

Mr. Knorr said he is concerned about his property tax because it went up \$500 in one year. He is paying more money to the school district and Murray City. He feels that the amount of the property tax increase is excessive. He is on a fixed income and it's hard to pay another \$500 in taxes. He is also concerned about the future if his property tax continues to increase. He feels that he could lose his house. He wants the city to keep people who are on fixed incomes in mind when they think about raising taxes.

John Halladay – Murray City, Utah

Mr. Halladay is concerned about the no parking signs on Sanford Drive that have been in place since 1984. Now that the population is older and there aren't many children around the area, he would like to see the no parking signs removed because they aren't really enforced anyway.

Mr. Halladay also expressed his appreciation for Chief Burnett and the work he does for the city.

7. Consent Agenda

Mr. Brass asked that all items on the Consent Agenda be voted on together; no objections were made.

7.1 Consider confirmation of the Mayor's appointment of Nancy Buist to the Murray City Cultural Arts Board to fulfill an unexpired term, which ends January 15, 2019.

7.2 Consider confirmation of the Mayor's appointment of L. Sage Fitch to the Murray Library Board of Trustees representing District 3 to fulfill an unexpired term, which ends June 30, 2019.

Mayor Camp expressed his appreciation to everyone who is serving on one of the city's Boards or Commissions.

MOTION: Ms. Turner moved to adopt the Consent Agenda. The motion was SECONDED by Mr. Hales.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

8. **Public Hearings**

8.1 **Public Hearing #1**

8.1.1 **Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:**

Consider an ordinance amending Sections 17.170.100, 17.170.110, 17.170.120, 17.170.140 and 17.170.160 of the Murray City Municipal Code relating to density, height, open space and parking in the Murray City Center District.

Staff Presentation: Tim Tingey, ADS Director

Mr. Tingey said the Council asked staff to do a study on and evaluate the density issues in the downtown area. Staff did the study and spent a significant amount of time talking with, and receiving input from, the Planning Commission on this issue.

Mr. Tingey said the first item staff is recommending changes to relates to municipal building setbacks. In the city's current code, if a setback is proposed in the Murray City Center District (MCCD), the setback has to be 15 to 18 feet. Municipal buildings are much different than regular buildings because there are possibilities to have plazas and open space around them. This modification would allow for greater setbacks to allow for plaza areas and open space around municipal buildings.

The second change is related to parking for municipal buildings. Right now, in the MCCD, parking is supposed to be on the side of or behind a building. This change would allow for municipal buildings, that serve multiple purposes in the downtown area, to have parking in front of the building.

In addition, at least fifty percent of the parking for buildings that exceed four stories in height shall be located in the exterior of the building or in a parking structure within 750 feet of the development.

The third proposed change is related to height and density. Currently, there is a 40-foot minimum height standard on the westside of State Street and no cap on the height or density. Staff is proposing that buildings should not exceed 10 stories in height and buildings that are six stories or higher will have a podium step-back of 15 to 25 feet.

Currently, the MCCD needs pedestrian walkways and connections. Staff is proposing a requirement that fifteen percent of any development site will need to have connections to pedestrian walkways, plazas and open spaces.

Mr. Tingey noted that the Wasatch Front Regional Council conducted a

study and determined that the MCCD, along with many other areas across the Wasatch Front, are to be urban centers. He went over some of the traits of urban centers which include buildings that are four to ten stories in height and having higher densities which are conducive to a walkable environment.

Mr. Nicponski said he is concerned about capping the height.

Mr. Tingey replied that staff looked at the Wasatch Front Regional Council's study as well as the density within other communities. Many other communities have structures that are ten stories or higher. Staff felt that a ten-story structure meets the vision of what the city wants for the downtown area.

The public hearing was opened for public comment.

Orden Yost – Murray City, Utah

Mr. Yost said he appreciates the efforts by staff and the Council in making these ordinances. His concerns are that if the city enforces these particular guidelines, the city may end up with a downtown that is sitting there without any development. It costs about fifty percent more to build a structure of that height today, when construction and employee costs have increased, than it did seven years ago. It can be challenging for developers to build when they have a ten-story limit on buildings.

Mr. Yost is also concerned about the limit of occupancies in residential units because the city is trying to support downtown businesses. If the density is not there, the retailers and businesses won't be there either. He recommends the city consider going to a 15-story height limit or not have a height limit at all.

Janice Strobell – Murray City, Utah

Ms. Strobell said the city is missing the point when they define density. The city needs to do a better job in defining what they want the city to look like.

Mr. Brass closed the public hearing.

8.1.2 Council consideration of the above matter.

Mr. Tingey said that another part of this ordinance is having 80 units per acre. He added there are other developments within the city that have 60 to 65 units per acre that have been successful.

Mr. Brass said this is a tough balance to have. When a lot of people are put into a small area, sometimes good things happen, and sometimes bad things happen. The city gets a lot of public safety calls in apartment areas but has elected to work on a balance to the best of their ability.

Mr. Brass said he was concerned about having an overwhelming large building on State Street, but he's okay with ten stories. He also likes the idea of plazas and open spaces.

MOTION: Ms. Turner moved to adopt the ordinance. The motion was SECONDED by Mr. Cox.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

8.2 Public Hearing #2

8.2.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance amending Sections 17.146.130, 17.168.140 and 17.170.130 and renumbering to Sections 17.146.140, 17.146.150 and 17.168.150 of the Murray City Municipal Code relating to lighting standards for the Mixed Use, Transit Oriented Development and Murray City Center District Zones.

Staff Presentation: Tim Tingey, ADS Director

Mr. Tingey said this change was prompted to create some consistency with lighting in the city's transit-oriented areas. A lot of these changes were prompted by conversations with the Power Department and how the city looks at lighting, especially on new developments. The city wants to ensure that lighting is consistent and that the light that is created is conducive to what the city would like to see. The Planning Commission recommended approval of this at their June 21, 2018 meeting.

Mr. Tingey went over some of the proposed changes that include: street and sidewalk lighting shall meet adopted city light design standards; illumination levels will not exceed Illuminating Engineering Society of North America (IESNA) recommended standards, pedestrian way lighting will not be taller than 16 feet, except for on major arterial roadways such as 4500 South and State Street, lighting shall be shielded and directed downward to prevent off site glare, all site lighting luminaires will conform to IESNA "cutoff" or "sharp cutoff" classification, amber light color (3,000 Kelvin) will be allowed in consultation with the Power Department, and private lighting is subject to Power Department review and approval.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

8.2.2 Council consideration of the above matter.

MOTION: Mr. Hales moved to adopt the ordinance. The motion was SECONDED by Ms. Turner.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

8.3 Public Hearing #3

8.3.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance adopting the rate of tax levies for the fiscal year commencing July 1, 2018 and ending June 30, 2019.

(Attachment 1)

Mr. Brass explained the city's budget process to the audience.

Staff Presentation: Danyce Steck, Finance Director

Ms. Steck said the city started the budget process in January 2018. At that time, the Council was asked what their priorities were. The Council's first priority was public safety. The Council is invested in the city's public safety force and want to ensure the employees on that force remain with the city.

The Council's second priority was maintaining the things the city already owns such as roads, parks and equipment. Over the last ten years, Murray City has tightened their belt to the point where the city is not able to maintain some of those things to the level they needed to be maintained, so a maintenance plan was proposed. There are also some improvements that needed to be made including Fire Station 81. Fire Station 81 is 40 years old and will be relocated and rebuilt at 4800 South and Box Elder Street.

In addition to public safety, the Council wanted to ensure the city was staffed accordingly. The city added some additional positions including, one school resource officer, two crossing guards, one battalion fire chief, one GIS analyst, one parks maintenance worker, one risk analyst and one

facilities supervisor. The office administrator for the Fire Department was changed from part-time to full-time.

Ms. Steck said one of the first things she did when she came to the city was to look at revenues and expenditures. In 2006, Murray City did a tax increase and started preparing for the things they knew were on their agenda. Everything was fine from 2006 until 2008, when the economy changed.

Ms. Steck explained that Murray City relies on the car sales industry which provides about 33% of the city's sales tax revenue. When the economy changed, car sales dropped. At that time, the Council knew that sales taxes were decreasing, but they also knew they could not go to the residents and ask for a tax increase because the residents were losing their jobs and homes. Instead, the city offered early retirements to employees, cut services, held back maintenance and held off purchasing vehicles and equipment for as long as they could. In 2016, the city could no longer hold off on some of these things. In 2016 the Council acted and adopted an additional sales tax in Murray City that is dedicated to the city.

Ms. Steck said when the city did a compensation study for public safety to see where they were in the market, the city found that their public safety employees are paid lower in comparison to other agencies. This was due to the actions the city took during the ten-year period between 2006 and 2016. In 2006, 2007, and 2008, the city's public safety employees were compensated well and stayed at the city. However, now, when other agencies offer them \$5.00 more per hour, they leave because it makes sense for their families.

Ms. Steck said that after the compensation study was done, staff went to the Council and asked for a tax increase to fund bringing the city's public safety employees up to market level.

Ms. Steck stated the library has also asked for a tax increase. The library is only allowed to use property taxes for their revenue source, the city is not allowed to give the library any additional money. The library's property tax rate has not kept up with inflationary costs, so the expenses became higher than revenues. In 2018 the Library Board requested that operations be brought back into the black and that the city begin a building fund to build a new library.

Murray City has not increased property taxes since 2006. This tax increase will fill the inflationary gap for operations and personnel. Another challenge the city faces is that 35% of the land mass located within the city is considered tax exempt. Murray has the fifth lowest tax rate of any other city within Salt Lake County, even with this proposed tax increase.

Ms. Steck stated the city knows there are many citizens on fixed incomes and that this tax increase may be a burden to them, however, there is a tax relief program through Salt Lake County. Since the county collects all the taxes for everyone, they run the tax relief program also, the city does not have the option to run one. The application for the tax relief program is on both the city's and county assessor's websites.

The public hearing was opened for public comment.

Lola Barrett – Murray City, Utah

Ms. Barrett said she loves Murray City and it is a great city. However, she is a senior citizen and feels the pressure of her taxes going up. People on social security haven't really had a raise either and what they did get went to Medicare. She feels that a 47% tax increase is too much. She asked the Council to reevaluate the amount of the tax increase.

Ms. Barrett said she helped pay for the library the city has now and she doesn't feel that it needs to be replaced.

Bill Hogan – Murray City, Utah

Mr. Hogan said he is sad he was annexed into Murray City. He would have rather been annexed into Holladay City because they are a lot better. He feels the citizens would get better services from Holladay City than they do from Murray City. Mr. Hogan said is also on social security.

Mr. Hogan noted that Salt Lake City's library expenses have gone down while Murray's library expenses have gone up. He advised the library to look into doing things electronically rather than spending money on a new building.

Mr. Hogan added that the city has lied about the water collection fee the citizens in the annexed area are charged because the excess money from the fee is put into the General Fund. He asked if the city was going to lower that fee or continue to rip off people. He added that his income is not going up, why should the city's.

Greg Nelson – Murray City, Utah

Mr. Nelson said he has lived in Murray City for 30 years and has enjoyed it. He enjoyed seeing tonight's presentation that showed what the city has done to hold off on raising taxes, and he appreciates that.

Mr. Nelson said he doesn't feel that the city needs a new library. He doesn't know why the library, or a fire station of 40 years is old or dilapidated. He's not saying that it isn't because he's uninformed, but it doesn't make since to him.

Mr. Nelson said one way the city could save a little money would be with recycling. A while ago the city changed the recycling schedule, so recycling would be collected every week. He feels that is unnecessary; he only puts his recycling out once a month. He would like to see it changed back so recycling would only be picked up twice a month rather than every week. He added another way to save some money would be to put smaller engines in police cars.

Krystal Walker – Murray City, Utah

Ms. Walker said she is married to a Murray City firefighter. In 2007 she quit her job, which cut their household income by about 30%. Then the recession hit, and they lost more income. From 2007 to 2009 they lost 50% of their household income so she understands what people on fixed incomes are going through.

Ms. Walker said over the years, their income picked up and things started to get better. Her husband is devoted to his craft and gets upset when young firefighters leave because firefighters work in crews and develop a rapport for one another. When somebody leaves, it changes the dynamic.

Ms. Walker stated the city's police officers need time to figure out the city. When they leave, they take all their knowledge to somewhere that is willing to pay them for their skill. She likes living in Murray City. She likes the people who work in the city and has always had positive experiences with them whether they are police, fire, or other employees, and she hates to see them leave. She wants people to work here as much as she wants to live here.

Ms. Walker said when you take the tax increase on a median home, the tax is broken down to \$2.60 a week. That can be made up by changing little things. She feels people should be able to do that; she did it for three years.

Kenton Knorr – Murray City, Utah

Mr. Knorr said he thinks that every firefighter, police officer and teacher deserve a raise. He is concerned that the fire station on Vine Street is so big. He thinks the city needs to be careful on how money is spent, particularly on new buildings. Build the fire department a new fire station, but don't make it a castle. Make is someplace that's comfortable for them and that they enjoy being at.

Dustin Lewis – Murray City, Utah

Mr. Lewis said he is grateful for the services he receives in Murray City and he realizes those don't come at a low price, there is a cost to providing those services. He sympathizes with people on fixed incomes, but he realizes it costs money to run a government.

Mr. Lewis said he spends a good amount of his time looking over municipal budgets. He realizes it's not easy when people come into the city wanting things fixed and services added. He supports the tax increase.

Mr. Lewis thanked the Council for being willing to do what previous Council's didn't want to do. This is not an easy task for the Council and that they have spent the last six months questioning their department heads and have asked them to cut funds. He knows there are good people that work at the city who utilize a lot of care when using the funds that have been entrusted to them.

Kim Anderson – Murray City, Utah

Mr. Anderson said his problem with the tax increase is that the costs are all coming at once. Costs have gone up for everything, but his pay and other people's pay, have not. All these costs add up to a deadly cut that is going to bleed everyone to death.

Mr. Anderson said he's heard Sandy City is getting a lot of money from Salt Lake County. He would like to see Murray City try to get some of that money to offset some of the costs of the things that are needed for the city. He asked if Murray City is actively trying to get funds from the county.

Mr. Brass replied the city has a lobbying staff and has received a few million dollars in transportation funds for roads from the county.

Mr. Anderson said he appreciated that, but there is money available for things other than roads.

Mr. Brass read an email into the record from Laura Haskell – Murray City, Utah (Attachment 2).

Mr. Brass closed the public hearing.

8.3.2 Council consideration of the above matter.

Mr. Brass explained the city has done more with less. The city has deferred purchasing new police cars and building maintenance. The public safety officials for the city are in a building that is not earthquake proof and fire station #81, which is being replaced, is not seismically sound.

Mr. Brass stated the city has cut a lot and unfortunately equipment gets old. In 2006, when the city did the last property tax increase, gas wasn't over \$3.00 a gallon. The city's police cars run on gasoline, our fire engines use diesel, and our roads are paved with petroleum-based products. It's tough to do it all without a tax increase.

Mr. Brass said the Council understands being on a fixed income as most of them are retired. They don't take this decision lightly. He thanked all the citizens for their comments.

Ms. Turner reiterated this decision is not easy for the Council. This has been a difficult process and they have taken it seriously.

Mr. Cox said this is a hard thing to do, but it's something the Council has worked hard on and they have tried to find alternatives. He agrees that it would be better if the tax could be raised in smaller incremental units, but the Council can't do anything about what happened between 2006 and 2018. What the Council has to do is take care of the city now – the firefighters, police officers, parks and the services Murray citizens are used to.

Mr. Cox said it is hard to pay taxes and he doesn't want to pay them any more than anyone else does. He added that Murray City was the only city that held meetings other than this truth in taxation meeting regarding the property tax increase. They held five meetings, one in each council district, so people could come in and see the presentation.

Mr. Cox said he appreciates the voters and everything that's been said, but he can't make decisions like this on getting re-elected because he was elected to make hard decisions. This decision is really hard. It's hard on people but it's also been hard on the city's employees. It takes \$40,000 to \$50,000 to train a firefighter, paramedic or police officer and when they leave after their trained, the city loses money.

MOTION: Mr. Nicponski moved to adopt the ordinance. The motion was SECONDED by Ms. Turner.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

9. Unfinished Business

9.1 None scheduled.

10. New Business

10.1 Consider a resolution authorizing the amendment of an Interlocal Cooperation Agreement between Salt Lake County and Murray City for the

operation of a small satellite hazardous waste collection center.

Staff presentation: Doug Hill, Chief Administrative Officer

Mr. Hill said for 17 years, the city and Salt Lake County have had an agreement where citizens can drop off their hazardous waste materials, specifically antifreeze, batteries, oils and paint, to the city's Public Works office and then Salt Lake County collects it and disposes of it properly.

Mr. Hill reiterated the city has been doing this for 17 years. It's a convenient service for the citizens and allows for proper disposal of hazardous waste. This agreement would extend this service for one year.

Ms. Turner said she appreciates this service and has used it many times.

MOTION: Mr. Hales moved to adopt the resolution. The motion was SECONDED by Mr. Cox.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

10.2 Consider an ordinance enacting Section 6.16.070 of the Murray City Municipal Code relating to the sale of dogs, cats, and rabbits at pet shops, retail businesses, or other commercial establishments within Murray City.

Staff presentation: Dale Cox, Council Member

Mr. Cox said he met with the Humane Society and discussed implementing this ordinance in Murray City. If someone wants to have a pet shop in Murray, he thinks it's only fair that they understand what the city requires and expects from them.

Arlen Bradshaw – Regional Director for the Mountain West for Best Friends Animal Society

Mr. Bradshaw said the mission of his organization is to bring about a time of no more homeless pets. They work with both municipal and private animal shelters to help lower their rates of euthanasia. They have worked for a number of years with the Murray City Animal Shelter on a trap, neuter, and return program which he thinks has been pretty successful for Murray City.

Best Friends Animal Society works with 57 different animal rescue organizations and shelters on a variety of issues. The reason they are interested in enacting this ordinance is because of puppy mills. He said this ordinance would not prohibit a pet store from opening in Murray, however, it would require that they source their

animals from an animal shelter. If this ordinance is passed, Murray will be the 9th jurisdiction in Utah to enact this.

Gene Baierschmidt – Executive Director, Humane Society of Utah

Mr. Baierschmidt said the Humane Society of Utah is happy to be in Murray and have been here since 1992. They are the largest open admission shelter in the state, handling about 12,000 animals a year. The purpose of this ordinance is to stem the flow of animals coming from puppy mills that, in many cases, keep animals in deplorable conditions. The ordinance will also encourage people to adopt from shelters. The Humane Society strongly supports this ordinance.

Mr. Baierschmidt said PetSmart and Petco adopted this model when they first opened. They do not sell dogs, cats, or rabbits. Instead, they allow rescue groups and shelters to bring their animals to the stores to be adopted.

Mr. Baierschmidt stated that if a pet store wants to open in the city, this ordinance will let them know what the rules are before they even open. He noted that this ordinance is not designed to put pet stores out of business.

Mr. Cox noted that not all dog breeders are bad, and this ordinance takes that into consideration. He said he realizes there is some angst with this ordinance, but he thinks it's the right thing to do.

Ms. Turner wondered since Salt Lake County adopted this ordinance already; if that meant that Murray is automatically under the ordinance.

Mr. Bradshaw replied that the county can only adopt this type of ordinance as it applies to their municipal authority which is only within the unincorporated areas of the county.

Ms. Turner said she thinks puppy mills are horrible and she thinks the city needs to do whatever it can to make sure they don't exist, but she wants to make sure that passing this ordinance is the most effective way for Murray to go. She asked G.L. Critchfield, City Attorney, if there were other options and what they might be.

Mr. Critchfield said this issue was talked about before in a Committee of the Whole meeting and one of the suggestions that came up was to pass a resolution because of the legal uncertainty of this ordinance in Utah. A resolution would be one alternative because it doesn't bind anybody, but it would be an expression of support for banning puppy mills.

Ms. Turner asked Mayor Camp about his concerns with this ordinance.

Mayor Camp said that he sent his concerns to the Council in an email (Attachment #3). He has toured the Humane Society, it's a great facility. His concerns are the practical part of this ordinance, not the emotional part. He is concerned on what

enforcement of this ordinance would look like. Specifically, the resources enforcement may or may not take.

Mayor Camp stated it is hard for him to turn a deaf ear or blind eye to cautions given by the City Attorney. He knows there have been some litigation and some of these ordinances have been upheld in cities throughout the country, but at what legal cost? This ordinance prohibits PetSmart or anybody else from obtaining their stock from anything other than shelters. It is concerning to him that the city is regulating a source of a stores inventory.

Mayor Camp also noted that this ordinance would not stop internet sales. The ordinance is really focused on one small area and he doesn't think that the other ordinances that have been passed within Salt Lake County are the same ordinance, they are all different. He has heard from the pro-ordinance side of it, but not necessarily from the industry. He asked the Council to consider everything when they are considering this ordinance tonight.

Mayor Camp said the city will be bound to enforce whatever ordinances the Council passes, and they will do that.

Mr. Hales noted that he is also against puppy mills.

Ms. Turner said she hopes this ordinance will do what it's supposed to do and that the Council feels it is important to have as an ordinance, especially since there have been no complaints. She thinks this ordinance is proactive and makes since.

MOTION: Mr. Cox moved to adopt the ordinance. The motion was SECONDED by Mr. Nicponski.

Mr. Brass noted he received an email from Elizabeth Oreck that will be added to the record (Attachment #4).

Mr. Nicponski declared a conflict – he represents the Humane Society at the State Legislature and with local government.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

11. Mayor
11.1 Report

Mayor Camp thanked the Council for adopting the tax levy.

He said that Chief Burchett was the team leader of the team that the three firefighters from Murray City were serving while fighting the California fires, so his death hits close to home. Mayor Camp sent his condolences to Chief Burchett's family and co-workers at Draper City. He noted that the crew from Murray was in Critical Incident Stress Debriefing and as soon as they are finished with that process they will be demobilized and return home.

Mayor Camp said that last Thursday, Jill Robinson, a Code Enforcement Officer from West Valley City, was also killed in the line of duty. Everyone who serves the public is out everyday and this is a reminder of how fragile life is and how much the work of the city's employees is appreciated.

Mayor Camp noted the outside pool is closed for cleaning and should reopen tomorrow afternoon. He added that the Park Center will be closed starting on Saturday for ten days for cleaning and maintenance.

Mayor Camp said now that school is starting, the Police Department is looking for crossing guards.

Mayor Camp noted that the Planning and Zoning Commission meetings are now being streamed live. They can be viewed at www.murraycitylive.com. This is part of the city's push for transparency and a great service to the public.

11.2 Questions for the Mayor

Ms. Turner asked how much crossing guards are paid.

Mayor Camp replied about \$15.00 per hour.

Mr. Cox said that Chief Burchett will be flown back to Utah by the National Guard and will arrive at 1:45 p.m. tomorrow. His funeral will be held on Monday at the Maverick Center.

12. Adjournment

The meeting was adjourned at 8:23 p.m.

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 21st day of August 2018 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The meeting was conducted by Jim Brass

Council Members Present:

Dave Nicponski, Council District 1
Dale Cox, Council District 2
Jim Brass, Council District 3
Diane Turner, Council District 4/Council Chair
Brett Hales, Council District 5

City Staff Present:

Blair Camp, Mayor
Jennifer Kennedy, City Recorder
G.L. Critchfield, City Attorney
Janet Lopez, Council Administrator
Doug Hill, Chief Administrative Officer
Jennifer Heaps, Communications and Public Relations Director
Craig Burnett, Police Chief
Dave Florin, Battalion Chief
Joey Mittelman, Fire Captain
Jonathan Jastram, Fire Captain
Christian Owensbey, Firefighter
Scott White, Fire Captain
Brain MacNeil, Fire Engineer
Russell Sneddon, Paramedic/Firefighter
Tad Raban, Paramedic/Firefighter
Danielle Winters, Paramedic/Firefighter
Kim Sorensen, Parks and Recreation Director
Danyce Steck, Finance Director
Tim Tingey, Administrative and Development Services (ADS) Director
Blaine Haacke, General Manager of Power
Greg Bellon, Assistant General Manager of Power

Other's in Attendance:

Citizens

Mr. Brass called the meeting to order at 6:30 p.m.

5. **Opening Ceremonies**

5.1 **Pledge of Allegiance**

The Pledge of Allegiance was led by Greg Bellon, Assistant General Manager of Power.

5.2 **Approval of Minutes**

5.2.1 **None scheduled.**

5.3 **Special Recognition**

5.3.1 **Swearing-In Murray City Battalion Chief Dave Florin.**

Staff Presentation: Mayor Blair Camp and Jennifer Kennedy, City Recorder.

Mayor Camp introduced Mr. Florin and spoke about his career with Murray City.

The Swearing-In Ceremony was performed by Jennifer Kennedy.

6. **Citizen Comments** – Comments are limited to 3 minutes unless otherwise approved by the Council.

Michelle Quist – Candidate for Salt Lake County Council District #4

Ms. Quist is running for Salt Lake County Council District #4. She is here tonight to introduce herself. She is concerned that the cities on the eastside of Salt Lake County are getting ignored. She wants to make sure that someone on the County Council is making sure that the cities priorities are being heard. The County Council doesn't tell cities what to do, cities should be telling their representative what the County should be doing for them. She is a lawyer and has been involved with politics in Utah for about ten years.

7. **Consent Agenda**

7.1 **None scheduled.**

8. **Public Hearings**

8.1 **Public Hearing #1**

8.1.1 **Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:**

Consider an ordinance amending the City's Fiscal Year 2018 – 2019 Budget.

Staff Presentation: Danyce Steck – Finance Director

Ms. Steck said the Council is being asked to appropriate \$1,250,000 from the capital projects fund for the construction of Fire Station #81. The city bonded for this project about eight months ago, but once bids were received it was apparent that building costs are higher than they were back then.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

8.1.2 Council consideration of the above matter.

MOTION: Ms. Turner moved to adopt the ordinance. The motion was SECONDED by Mr. Hales.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

8.2 Public Hearing #2

8.2.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance relating to land use; amends the Zoning Map for the property located at 4843 South Murray Boulevard, and 495 and 497 West 4800 South, Murray City, Utah from the M-U (Mixed-Use) Zoning District to the C-N (Commercial Neighborhood) Zoning District.

Applicant: Shared Pharmacy

Staff Presentation: Tim Tingey, ADS Director

Mr. Tingey said this amendment is for three parcels of land and showed a map of the properties (Attachment #1). The proposal is for the property to go from a mixed-use zone to commercial neighborhood zone. A commercial neighborhood zone allows for smaller businesses adjacent to intersections. The Planning Commission considered this item and recommended approval; staff is recommending approval also.

Kris Pasker – PGA&W Architects

Mr. Pasker said he is here tonight to answer any questions or address any concerns the Council might have. The Council had no questions or concerns for Mr. Pasker.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

8.2.2 Council consideration of the above matter.

MOTION: Mr. Cox moved to adopt the ordinance. The motion was SECONDED by Ms. Turner.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

8.3 Public Hearing #3

8.3.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance relating to land use; amends the Zoning Map for the property located at 1177 West Bullion Street, Murray City, Utah from the A-1 (Agricultural) Zoning District to the R-1-10 (Residential Single Family) Zoning District.

Applicant: Ivory Development

Staff Presentation: Tim Tingey, ADS Director

Mr. Tingey showed a map of the property (Attachment #2) which is part of the Ivory Development. This proposal is to facilitate an exchange of property with the adjacent property owner. This item was considered by the Planning Commission at their July 5, 2018 meeting and they forwarded a recommendation of approval.

Brian Prince – Ivory Homes

Mr. Prince said the intent of the rezone and property acquisition is to provide lots on the other side of Murray Hollow Lane, which is the primary access to the Murray Cove subdivision. The original subdivision plat only had space for lots on the west side. Ivory Homes worked out a deal with the adjacent property owner and acquired this parcel to add 10,000 square foot lots on the east side.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

8.3.2 Council consideration of the above matter.

MOTION: Mr. Hales moved to adopt the ordinance. The motion was

SECONDED by Ms. Turner.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

8.4 Public Hearing #4

8.4.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance relating to land use; amends the Zoning Map for the property located at 5832 South Murray Parkway Avenue, Murray City, Utah from the A-1 (Agriculture) Zoning District to the R-1-8 (Residential Single Family) Zoning District.

Applicant: Ivory Development

Staff Presentation: Tim Tingey, ADS Director

Mr. Tingey said this is similar to the item in Public Hearing #3. He showed a map of the property (Attachment #3). This is a zone change from A-1 Agricultural to R-1-8, allowing for single family homes on a minimum of an 8,000 square foot lot. This is to facilitate an exchange of property to add additional depth to some of the lots. This item was considered at the July 5, 2018 Planning Commission meeting where the Planning Commission recommended approval. Staff is also recommending approval.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

8.4.2 Council consideration of the above matter.

MOTION: Ms. Turner moved to adopt the ordinance. The motion was SECONDED by Mr. Nicponski.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

9. **Unfinished Business**

9.1 None scheduled.

10. **New Business**

10.1 **Consider a resolution authorizing and approving the Carbon Free Power Project Power Sales Contract with Utah Associated Municipal Power Systems; the initial Budget and Plan of Finance for the Project; and related matters.**

Staff presentation: Blain Haacke, General Manager of Power

Mr. Haacke said he appreciates the Council's interest and attentiveness to this item. Mr. Haacke said staff is recommending that the city proceed with the continued study in the UAMPS Carbon Free Power Project Development. The Carbon Free Power Project are referred to as SMR's which are small modular reactor's or small nuclear reactors. If the project goes, the SMR's will be located west of Idaho Falls in the Idaho National Lab.

Mr. Haacke said UAMPS has contemplated the feasibility of this project; he remembers hearing about it almost four years ago. Mr. Haacke feels that in some point in time these SMR's could serve as a coal fire power plant replacement. Coal plants are coming under fire and policies and regulations are making them obsolete. There are several coal fire plants that have been shut down and Murray City will have a coal plant, the San Juan coal plant, that will be shut down in 2022. The San Juan coal plant is not a big chunk of our resources but closing it will affect the city.

Mr. Haacke went through the information and correspondence the Council has received on this issue. He thinks the most important thing to think about when talking about SMR resources is that it will add to the diversity of Murray's resource mix. It will be a long term, zero emission resource. It's a resource that's designed to dispatch meaning it blends well with a renewable energy product, such as wind power or solar. SMR's are easily dispatchable and coal fire plants cannot react as fast as SMR's.

Mr. Haacke said Murray is committed to one megawatt worth of study. Hopefully this plant will eventually be 600 megawatts. If the city is still interested after the development study phase is over, Mr. Haacke's intent is to come back before the Council to increase the city's subscription.

Mr. Haacke said that each pellet of nuclear energy is equivalent to 129 gallons of oil, one ton of coal, or 17,000 cubic feet of natural gas.

Mr. Haacke said he has some concerns with this project and he's a little uncomfortable; he also feels that being a little uncomfortable is good. He hopes the technology is there and the price range that has been given to the UAMPS group to

bring this resource in is feasible. If it's not, the city will drop out of this project and walk away. He said the recommendation from the Power Department is pursue this and continue with the study phase.

MOTION: Mr. Nicponski moved to adopt the resolution. The motion was SECONDED by Mr. Cox.

Ms. Turner said this has been difficult and the city has been going over it for a long time. After a lot of research on her part, she has concluded that small nuclear reactors are not something Murray City should be investing in. She believes it is too risky both monetarily and environmentally. She said she can't, in good conscience, vote for approval.

Mr. Hales said with the studying he did and the recommendations from Mr. Haacke and the administration, as well as speaking with the city's attorney, he's a little uncomfortable, but he trusts their opinions. It is hard for him to object to this when so many others are fully recommending it.

Mr. Cox said he appreciates Ms. Turner's concerns, but the Power Department staff are the experts and the Council relies on them. The city needs to look out for power for the next hundred years and this is hopefully a step in the right direction.

Mr. Nicponski said he appreciates the meeting he had earlier where he was able to get his questions answered.

Mr. Brass said having a reliable, 24/7, zero emission resource is critical. Coal fire plants leave a lot of junk around. Nuclear energy is a clean resource although there are concerns about the radio-active material that is left over. If adjustments were made to allow the reprocessing of nuclear fuel in this country, that would reduce those concerns. Right now, until a better zero-emission, reliable source of power is found, he likes this as a way to go. The cost seems reasonable and the city has ways out.

Mr. Brass said everybody wants to talk about SMR's as being new, and in this situation they are, but it's based on reactor technology that's existed in submarines and on navel warships for over 60 years and has operated reliably. It does not require pumps to cool in the event of a full station outage. He feels it's safe and is comfortable with it.

Mr. Brass added he's worked in the power industry his entire career. He's seen a lot of things and he has solar panels on his home. He knows how many days a year he doesn't generate electricity with his renewable panels.

Council roll call vote:

| | |
|------------|-----|
| Ms. Turner | Nye |
| Mr. Hales | Aye |

Mr. Nicponski Aye
Mr. Cox Aye
Mr. Brass Aye

Motion passed 4-1

10.2 Consider a resolution authorizing the execution of an Interlocal Cooperation Agreement authorizing Murray City's membership and participation in the Jordan River Commission.

Staff presentation: Kim Sorensen, Parks and Recreation Director

Mr. Sorensen said this item is for the Council to consider a resolution to join the Jordan River Commission. Last week the Jordan River Commission gave a presentation at the Committee of the Whole meeting. Since that time, the Council has received the by-laws from the Jordan River Commission as well as a copy of the Interlocal Cooperation Agreement. Mr. Sorensen added that the Parks and Recreation Advisory Board is recommending approval of this.

Mr. Nicponski said his understanding is that by being involved with the Jordan River Commission the city will be able to qualify for some grants.

Mr. Sorensen replied that the State Legislature appropriated one million dollars this past year for the Jordan River and the Jordan River Commission is the body that determines where that money goes. The city is eligible for money without being a commission member, but this will give the city a lot more leverage when it comes to getting money.

Mr. Hales verified that joining the Jordan River Commission won't take any authority away from Murray City.

Mr. Sorensen replied the commission does not have any regulatory authority over the city's land use or what the city does with the Jordan River Parkway. They are strictly an advisory group.

MOTION: Mr. Nicponski moved to adopt the resolution. The motion was SECONDED by Mr. Cox.

Ms. Turner noted this has been difficult and she has come to the conclusion that small nuclear reactors is something that the city should not be working with.

MOTION: Mr. Hales moved to adopt the resolution. The motion was SECONDED by Mr. Nicponski.

Council roll call vote:

Ms. Turner Aye
Mr. Hales Aye

Mr. Nicponski Aye
Mr. Cox Aye
Mr. Brass Aye

Motion passed 5-0

10.3 Consider a resolution approving the City's application for a Grant from the Edward Byrne Justice Assistance Grant Program (JAG).

Staff presentation: Craig Burnett, Police Chief

Chief Burnett said this is a grant that the city has an opportunity to participate in every year that comes from the Department of Justice. Based on crime statistics there is a certain amount of money that goes out through this grant process. Murray City is large enough that we get a direct grant from the Justice Department. This resolution is making it known that the Police Department intends to apply for the grant this year. The amount of the grant is around \$36,000 and the money will be used for cameras.

MOTION: Mr. Cox moved to adopt the resolution. The motion was SECONDED by Mr. Hales.

Council roll call vote:

Ms. Turner Aye
Mr. Hales Aye
Mr. Nicponski Aye
Mr. Cox Aye
Mr. Brass Aye

Motion passed 5-0

10.4 Consider an amendment to the Interlocal Cooperation Agreement between member agencies of the Salt Lake Area Gang Project for the purpose of continuing the collaborative effort against illegal gang activity.

Staff presentation: Craig Burnett, Police Chief

Chief Burnett said the city has been a member of the Salt Lake Area Gang Project for over 20 years. This is just to clean-up the agreement and have it signed by the participating agencies again. Currently the city is only participating part-time. This isn't anything the city puts money into or gets anything out of other than intelligence and resources when the city needs them. That's why we try to keep somebody involved, they have a lot of resources to help the police out with investigations.

MOTION: Ms. Turner moved to adopt the resolution. The motion was SECONDED by Mr. Nicponski.

Council roll call vote:

| | |
|---------------|-----|
| Ms. Turner | Aye |
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |

Motion passed 5-0

11. Mayor

11.1 Report

Mayor Camp thanked the Council for their support of the budget amendment. The city will now be able to move forward with construction of the new Fire Station.

Mayor Camp said the firefighters who were part of the wildland crew have returned home and are integrating back into their regular work schedules.

Mayor Camp noted that the city's social media sites are being updated and improved and he hopes people have noticed the changes.

11.2 Questions for the Mayor

12. Adjournment

The meeting was adjourned at 7:12 p.m.

Jennifer Kennedy, City Recorder

Attachment 1



4843 South Murray Boulevard
495-497 South 4800 South



MURRAY
ADMINISTRATIVE &
DEVELOPMENT SERVICES



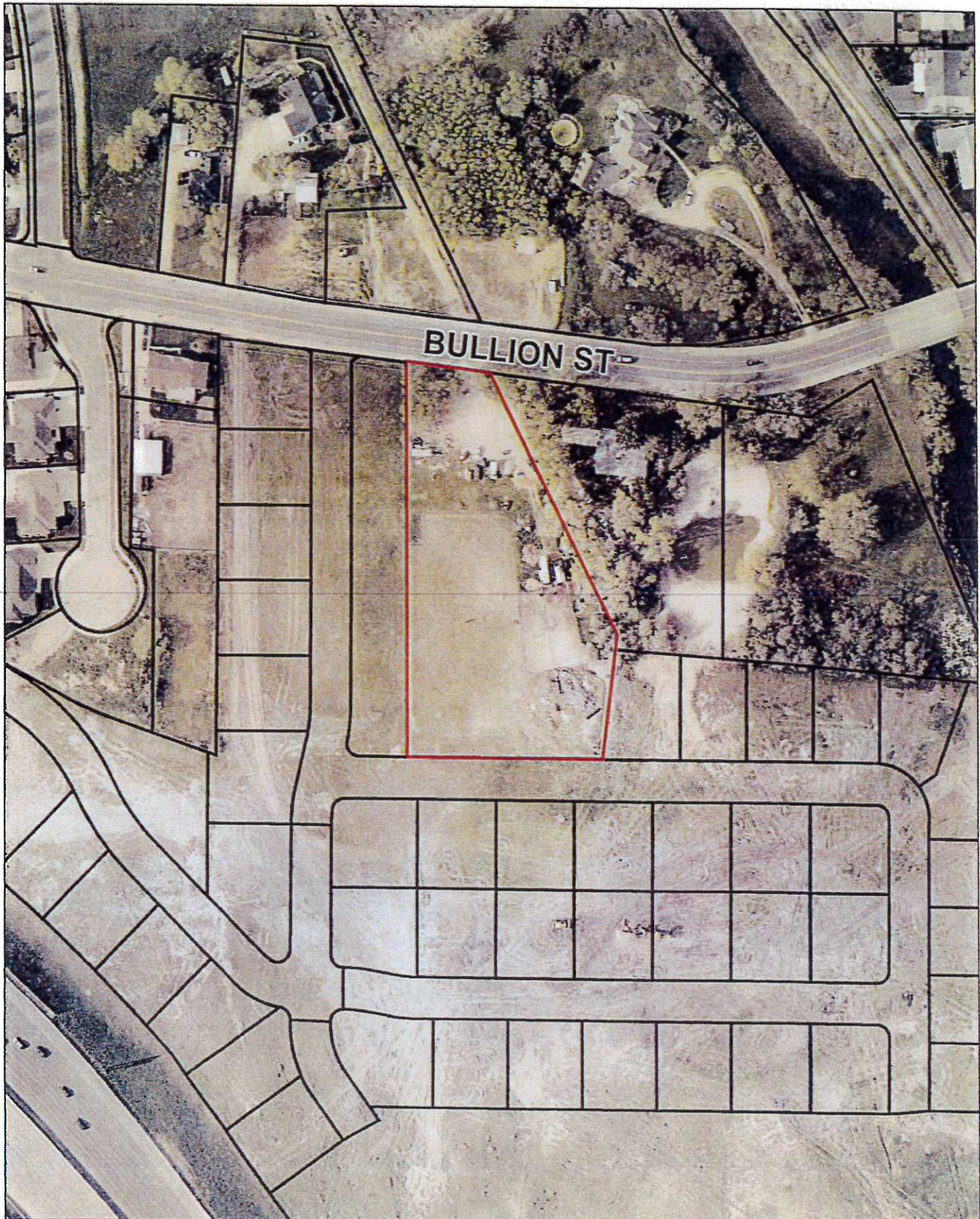
Attachment 2



1177 W. Bullion Street



MURRAY
ADMINISTRATIVE &
DEVELOPMENT SERVICES



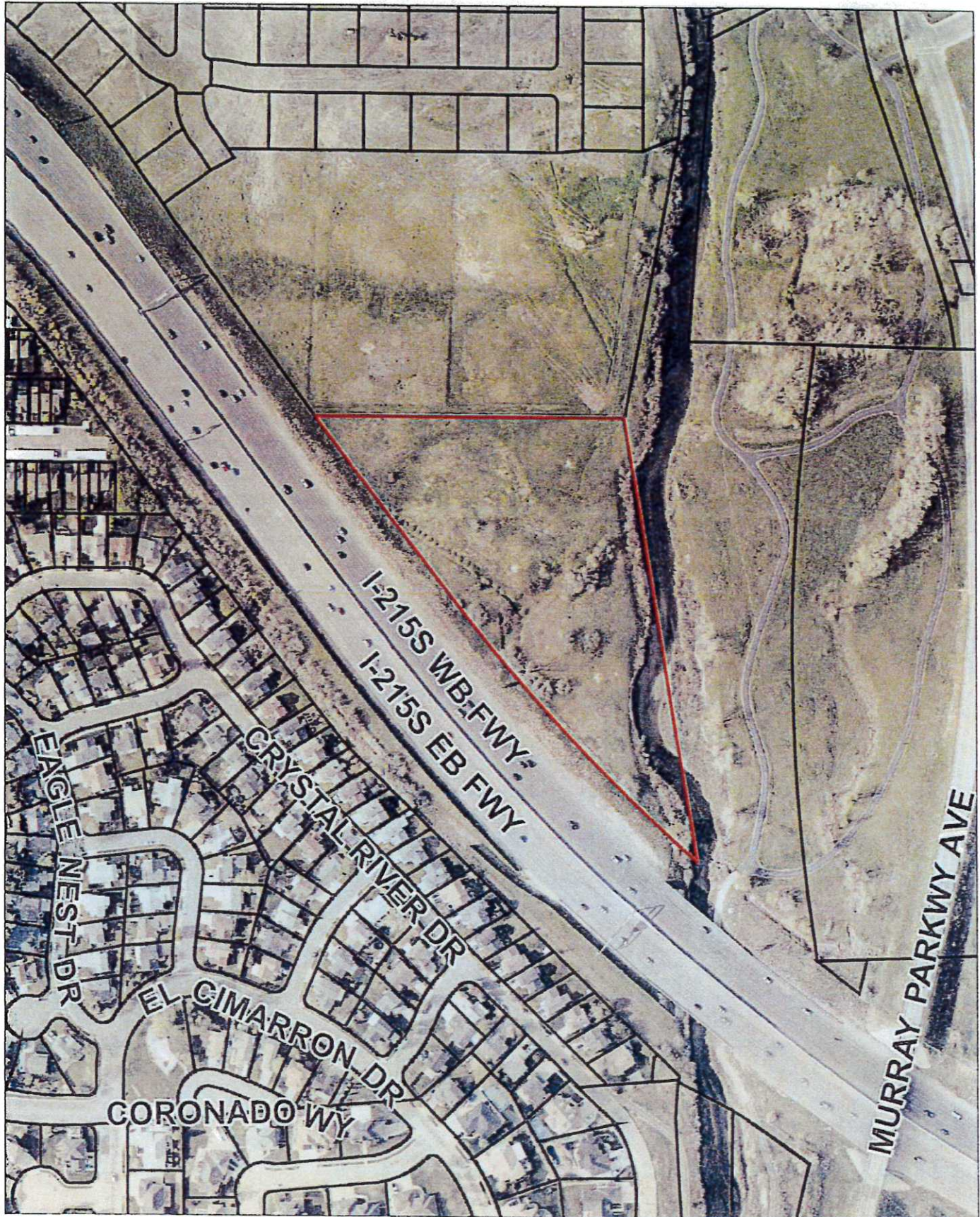
Attachment 3



5832 S. Murray Parkway Boulevard



MURRAY
ADMINISTRATIVE &
DEVELOPMENT SERVICES



Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 4th day of September 2018 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The meeting was conducted by Diane Turner

Council Members Present:

Dave Nicponski, Council District 1
Dale Cox, Council District 2
Jim Brass, Council District 3
Diane Turner, Council District 4/Council Chair
Brett Hales, Council District 5

City Staff Present:

Doug Hill, Chief Administrative Officer, Mayor Pro-Tem
Jennifer Kennedy, City Recorder
G.L. Critchfield, City Attorney
Janet Lopez, Council Administrator
Jennifer Heaps, Communications and Public Relations Director
Craig Burnett, Police Chief
Mike Dykman, Administrative Assistant Chief
Danny Astill, Public Works Director
Kim Sorensen, Parks and Recreation Director
Danyce Steck, Finance Director
Blaine Haacke, General Manager of Power
Bruce Turner, Operations Manager of Power
Matt Erkelens, Forestry Supervisor

Other's in Attendance:

Citizens

Ms. Turner called the meeting to order at 6:30 p.m.

5. Opening Ceremonies

5.1 Pledge of Allegiance

The Pledge of Allegiance was led by Sarah Kim, City Council Intern.

5.2 Approval of Minutes

5.2.1 None scheduled.

5.3 Special Recognition

5.3.1 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, Declaring September 10-14, 2018 as Public Power Week.

Doug Hill, Mayor Pro-Tem, read the Joint Resolution.

MOTION: Mr. Brass moved to adopt the Joint Resolution. The motion was SECONDED by Mr. Cox.

Council roll call vote:

| | |
|---------------|-----|
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |
| Ms. Turner | Aye |

Motion passed 5-0

Mr. Hill presented the Joint Resolution to Blaine Haacke, General Manager of Power, and Mr. Haacke spoke about the Power Department.

Mr. Nicponski expressed his gratitude to the Power Department for all the work they do.

5.3.2 Presentation of the 2018 Jim & Jean Hendrickson Beautification Awards.

Staff Presentation: Matt Erkelens, Forestry Supervisor

Mr. Erkelens introduced the members of the Shade Tree and Beautification Commission: Judith Payne, Geneal Nelson, Janice Evans and Darin Bird. He noted that Jim Hendrickson was also on the commission but was unable to attend tonight. The following awards were presented:

Mayor Award Single Family – Milne Residence; 5712 South 800 West
Mayor Xeriscape – Hughes Residence; 5245 South Clover Meadow Drive

Mayor Commercial – Red Robin; 316 East Winchester Street
Mayor Multi-Family – Cobble Creek Apartments; 5221 South 1300 East
District #1 Winner – Lewis Residence; 856 West Clover Meadow Drive
District #2 Winner – Cropp Residence; 609 West 6570 South
District #3 Winner – Hall Residence; 4724 South Rainbow Circle
District #4 Winner – Mintz Residence; 388 East Cross Creek Lane
District #5 Winner – Bringhurst Residence; 6399 South Glen Oaks Drive

6. **Citizen Comments** – Comments are limited to 3 minutes unless otherwise approved by the Council.
No citizen comments were given.
7. **Consent Agenda**
 - 7.1 None scheduled.
8. **Public Hearings**
 - 8.1 None scheduled.
9. **Unfinished Business**
 - 9.1 None scheduled.
10. **New Business**
 - 10.1 **Consider a resolution approving the Mayor's appointment of representatives to the Board of the Jordan River Commission.**

Staff presentation: Doug Hill, Mayor Pro-Tem

Mr. Hill said Murray City is the newest member of the Jordan River Commission. The Commission requires the city to appoint one elected official as a board representative and an alternate board representative who does not have to be an elected official. Mr. Hill stated that Mayor Camp's recommendation to the Council is for Mayor Camp to be appointed as the city's board representative and Kim Sorensen, Parks and Recreation Director be appointed as the alternate board representative.

MOTION: Mr. Brass moved to adopt the resolution. The motion was SECONDED by Mr. Hales.

Council roll call vote:

| | |
|---------------|-----|
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |
| Ms. Turner | Aye |

Motion passed 5-0

- 10.2 **Consider a resolution of the Municipal Council of Murray City, Utah**

authorizing the issuance and sale of not more than \$8,500,000 aggregate principal amount of Water Revenue Bonds, Series 2018.

Staff presentation: Danyce Steck, Finance Director

Ms. Steck said the city has been awarded a special revenue bond by the State Board of Water Resources in the amount of \$8,054,000 with a 1% interest rate. The State Board of Water Resources is asking the city to pay the money back over 25 years, however the payments won't start until 2025. The city will be making interest only payments until that time. This will save the city's water customers a lot of money and allow the city to construct two new wells to replace the two wells that are currently out of service. These funds will also be used to upsize the water pipeline on State Street.

Ms. Steck asked the Council to approve this resolution amending the maturity date from 31 years to 32 years.

Ms. Steck said if this resolution is approved, there will be a public hearing in 30 days. All the city's water customers will be notified of this bond and there will be no rate increase as a result of the issuance of this bond.

MOTION: Mr. Nicponski moved to adopt the resolution amending the maturity date from 31 years to 32 years. The motion was SECONDED by Mr. Cox.

Council roll call vote:

| | |
|---------------|-----|
| Mr. Hales | Aye |
| Mr. Nicponski | Aye |
| Mr. Cox | Aye |
| Mr. Brass | Aye |
| Ms. Turner | Aye |

Motion passed 5-0

11. Mayor

11.1 Report

Mr. Hill reported the following items:

- This past weekend, being Labor Day weekend, was relatively calm for public safety officials;
- The Public Works Department is currently paving Mar Jane Avenue and should be completed with it this week;
- The Murray Library is now offering videos of arts and crafts projects that people can undertake on their website;
- The Park Center has been closed for the past couple of weeks for cleaning and replacing the competition pool deck. It will be reopening soon.

Mr. Hill thanked Jennifer Heaps and all the other departments that have been updating the city's social media sites. All the city's departments have updated their

Facebook pages and are starting to get more followers.

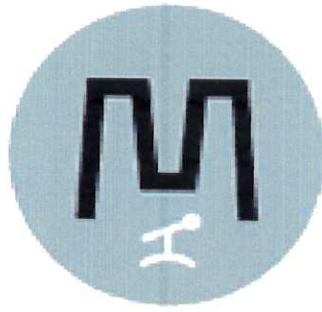
11.2 Questions for the Mayor

There were no questions for Mr. Hill.

12. Adjournment

The meeting was adjourned at 6:55 p.m.

Jennifer Kennedy, City Recorder



MURRAY
CITY COUNCIL

Special Recognition #1

Murray City Municipal Council

Request for Council Action

INSTRUCTIONS: The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

1. **TITLE:** (Similar wording will be used on the Council meeting agenda.)

MURRAY CITY COUNCIL EMPLOYEE OF THE MONTH – SEPTEMBER 2018
DAN WHITE, SOLID WASTE MAINTENANCE WORKER, MURRAY CITY PUBLIC WORKS.

2. **KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)
Responsive and Efficient City Services

3. **MEETING, DATE & ACTION:** (Check all that apply)

☒ Council Meeting OR ☐ Committee of the Whole

☒ Date requested September 18, 2018

☐ Discussion Only

☐ Ordinance (attach copy)

Has the Attorney reviewed the attached copy? _____

☐ Resolution (attach copy)

Has the Attorney reviewed the attached copy? _____

☐ Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? _____

☐ Appeal (explain) _____

☒ Other (explain) Special Presentation

4. **FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

5. **RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

6. **REQUESTOR:**

Name: Janet Lopez

Title: Council Administrator

Presenter: Brett Hales and Danny Astill

Title: Council Member and Public Works Director

Agency: Murray City Corporation

Phone: 801-264-2622

Date: September 7, 2018

Time: 9:50 a.m.

7. **APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director: 

Date: September 7, 2018

Mayor: N/A

Date:

8. **COUNCIL STAFF:** (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:**

See attached recommendation by Russ Kakala and Danny Astill.

EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

Solid Waste

DATE:

9/5/2018

NAME of person to be recognized:

Dan White

Submitted by:

Russ Kakala/Danny Astill

DIVISION AND JOB TITLE:

Solid Waste Maintenance Worker

YEARS OF SERVICE:

9

REASON FOR RECOGNITION:

Dan has been with the city for 9 years now and has always provided excellent service to the City and its residents. He is a dedicated employee and always shows up with a positive attitude towards Murray City, the employees and especially the residents. He can always be counted on any time of the day or night! whether he is being called in at 1:00 am in the morning to salt roads or repairing garbage cans. Dan just continues to do whatever he is asked and will work till the job is done. Among the many qualities that Dan has, he possesses the patience to work with the numerous seasonal workers that come to work as laborers. For good or bad, Dan has most of the seasonal workers assigned to work with him for a few weeks. Dan helps them get acclimated to the numerous divisions and operations that comprise the Public Works Department and the goals and expectations of the divisions he will be assigned to work with. He can always be counted to give an honest assessment of how they are doing.

Dan is a valued employee of the Murray City Public Works Department and we feel fortunate to have him.

COUNCIL USE:

MONTH/YEAR HONORED *September 18, 2018*



MURRAY
CITY COUNCIL

Special Recognition #2

Murray City Municipal Council

Request for Council Action

INSTRUCTIONS: The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

1. **TITLE:** (Similar wording will be used on the Council meeting agenda.)

Murray City Council Resident Service Award – Lynda Smart Brown – KidsEat!

2. **KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)
Engaged and Informed Residents

3. **MEETING, DATE & ACTION:** (Check all that apply)

☒ Council Meeting OR ☐ Committee of the Whole

☒ Date requested September 18, 2018

☐ Discussion Only

☐ Ordinance (attach copy)

Has the Attorney reviewed the attached copy? ☐

☐ Resolution (attach copy)

Has the Attorney reviewed the attached copy? ☐

☐ Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? ☐

☐ Appeal (explain) _____

☒ Other (explain) ☐ Presentation _____

4. **FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

N/A

5. **RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

Memo

6. **REQUESTOR:**

Name: Jim Brass

Title: City Council Member, District 3

Presenter: same

Title: same

Agency: Murray City Council

Phone: Council Office 801-264-2622

Date: September 7, 2018

Time: 9:42 a.m.

7. **APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director:  Date: September 7, 2018

Mayor: _____ Date: _____

8. **COUNCIL STAFF:** (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:**



MURRAY CITY CORPORATION
CITY COUNCIL

Dave Nicponski, District 1

Dale M. Cox, District 2


Jim Brass, District 3

Diane Turner, District 4

Brett A. Hales, District 5

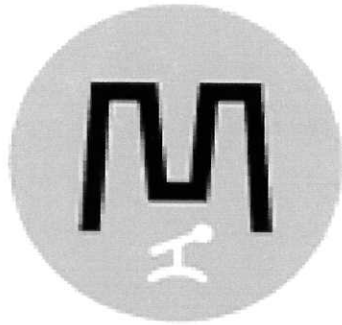
Janet M. Lopez
Council Executive Director

MEMORANDUM

TO: Murray City Council Members
FROM: Jan Lopez, Council Executive Director 
DATE: September 7, 2018
SUBJECT: Murray City Council Resident Service Award

On September 18, 2018 the Murray City Council Resident Service Award will be presented to Lynda Smart Brown for her continual service to the community through the KidsEat! program. As a suggestion from Jim Brass, I have asked him to make the presentation to Lynda. Following is information about the program.

- KidsEat! was founded three years ago, when Lynda Brown noticed children stealing from the pantry at the Boys & Girls Club. These children had no food at home over the weekend.
- Working from her basement with the help of five friends, Lynda created the KidsEat! program to fill backpacks for these children to take home on Friday afternoons.
- She started by filling ten backpacks weekly. The numbers quickly grew!
- Lynda said it was daunting to think about where the food items would come from week after week. Her friends and sorority sisters stepped up to help.
- Today, KidsEat! feeds between 250 to 300 children each week, approximately 3000 meals and snacks are provided.
- The backpacks are delivered to the Boys & Girls Club, Neighborhood House and several public schools.
- Funding comes from corporate donors and sponsors.
- Churches, businesses, families and organizations hold food drives to collect the nutritional food items that go into each backpack.
- The KidsEat! motto is "No Child Should Ever Go Hungry!"
- Lynda says that, "No one person can do it all and the KidsEat! program is a success because of all the people who have shared in our vision to help children. The thanks and praise go to our loyal volunteers and donors. We would not be where we are today without these amazing people. The KidsEat! program is a success because of the love, dedication and desire of the volunteers to help our valley's children. Their support in making this program a success is the backbone of KidsEat!"



MURRAY
CITY COUNCIL

Citizen Comments

Limited to three minutes, unless otherwise approved by Council




MURRAY
CITY COUNCIL

Consent Agenda

Murray City Municipal Council
Request for Council Action

INSTRUCTIONS: The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

1. **TITLE:** (Similar wording will be used on the Council meeting agenda.)
Consider confirmation of the Mayor's appointment of Haley Oliphant to the Cultural Arts Board, fulfilling an unexpired term ending 1/15/2019.
2. **KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)
Engaged and Informed Residents
3. **MEETING, DATE & ACTION:** (Check all that apply)
☒ Council Meeting OR ☐ Committee of the Whole
Date requested September 4, 2018
☐ Discussion Only
☐ Ordinance (attach copy)
Has the Attorney reviewed the attached copy? ☐
☐ Resolution (attach copy)
Has the Attorney reviewed the attached copy? ☐
☐ Public Hearing (attach copy of legal notice)
Has the Attorney reviewed the attached copy? ☐
☐ Appeal (explain) _____
☐ Other (explain) _____
4. **FUNDING:** (Explain the budget impact of the proposal, including amount and source of funds.)
N/A
5. **RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)
See attached resume
6. **REQUESTOR:**
Name: Kim Sorensen Title: Parks & Recreation Director
Presenter: Mayor Camp Title: Mayor
Agency: Murray City Corp Phone: 801-264-2600
Date: 8/23/2018 Time: _____
7. **APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)
Department Director: Kim Sorensen Date: 8/23/2018
Mayor:  Date: 8/23/2018
8. **COUNCIL STAFF:** (For Council use only)
Number of pages: _____ Received by: _____ Date: _____ Time: _____
Recommendation: _____
9. **NOTES:** Fulfilling the unexpired term of Debra Daines.

September 19, 2018

Haley M. Oliphant

801-462-5568

haleyoliphant@gmail.com

@oliphant_haley

Education

University of Utah

- Class of 2020
- English BA (3.85 GPA)
- Utah Flagship Scholarship (formerly Honors at Entrance)
 - Awarded to students who show exemplary academic achievement

Experience

The Daily Utah Chronicle (January 2017—present)

- Digital Managing Editor (Summer 2018—present)
 - Manage all online content from multiple desks
 - Manage social media accounts and weekly email blasts
 - Provide well-written content for online
 - Help hire skilled students to contribute to various desks
 - Train desk editors
 - Brainstorm story ideas with desk editors
- Arts Desk Assistant Editor (Fall 2017—Spring 2018)
 - Manage online stories including deadlines, editing, and content
 - Provide well-written content for online and print issues
 - Help hire skilled students to write for the desk
 - Train writers in AP Style and WordPress
 - Brainstorm story ideas with writers
- Arts Desk Writer (Spring 2017)
 - Provide well-written content for online and print issues

The Dinner Detective (August 2016—February 2018)

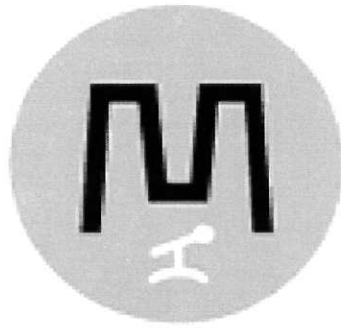
- Required to play multiple roles on the spot
- Come prepared with own props and specified script

Skills

Singer, Dancer, Actor, Basic Computer Programming, Proficient in WordPress, Solid Grasp of Social Media Platforms, Knowledge of AP Style and InCopy

References:

Kim Brenneisen (Former Managing Editor of Daily Utah Chronicle): 801-556-7007, kimbrenneisen@gmail.com



MURRAY
CITY COUNCIL

Public Hearing #1

MURRAY CITY CORPORATION
NOTICE OF PUBLIC HEARING

Notice is hereby given that on September 18, 2018, beginning at 6:30 p.m. in the Council Chambers of the Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Council will hold a Public Hearing on and pertaining to the following proposed amendments to the Fiscal Year 2018-2019 Murray City Budget:

1. Appropriate \$215,000 from the General Fund reserves for prior year road maintenance projects in progress.
2. Receive and appropriate the following grants and/or reimbursements in the General Fund with no financial impact:
 - a. \$31,907 from the HIDTA Grant for administrative and accounting services for the Metro DEA Task Force, and;
 - b. \$126,533 from VECC for a new alerting system, and;
 - c. \$33,401 from the FY2017 Edward Byrne Memorial Justice Assistance Grant for police supplies and/or equipment, and;
 - d. \$5,096 from the State Asset Forfeiture Grant for police supplies and/or equipment, and;
 - e. \$5,500 from the Emergency Management Preparedness Grant for services performed by the Fire Department, and;
 - f. \$15,921 from the Victims of Crime Act Grant for support of the victim's advocate program.
3. Reclassify the following expenses in the General Fund with no financial impact:
 - a. Decrease the budget by (\$65,814) from the reclassification of wages and benefits between departments for changes resulting from the implementation of the compensation plan and open enrollment, and;
 - b. Decrease the budget by (\$5,000) from the exchange of two road projects from the CIP fund for two road projects in Class C Roads, and;
 - c. Increase the budget for Non-departmental Miscellaneous expense by \$70,814.

4. Contribute \$100,000 to the Redevelopment Agency Fund reserves for the sale of property.
5. Appropriate \$11,282,000 from the Capital Projects Fund reserves for projects in progress from the previous year's budget including:
 - a. \$7,257,000 for building construction and improvement, and;
 - b. \$2,800,000 for land acquisition, and;
 - c. \$852,000 for infrastructure, and;
 - d. \$245,000 for vehicle and equipment replacement, and;
 - e. \$123,000 for maintenance, and;
 - f. \$5,000 for professional services.
6. Appropriate \$5,000 from the Capital Projects Fund reserves to reclassify the exchange of 2 projects from the CIP fund for 2 projects budgeted under Class C Roads.
7. Appropriate \$1,135,000 from the Water Fund reserves for well and pipeline replacement projects in progress from the previous year's budget.
8. Appropriate \$452,000 from the Wastewater Fund reserves for the Walden Glen Lift Station project in progress from the previous year's budget.
9. Appropriate \$612,106 from Power Fund reserves for the following:
 - a. Increase the budget by \$560,000 for support systems and vehicle replacement projects in progress from the previous year's budget, and;
 - b. Decrease the budget by (\$22,894) for changes resulting from the implementation of the compensation plan and open enrollment, and;
 - c. Increase the budget by \$75,000 for an inventory of small residential meters from increased construction of multi-family housing.
10. Appropriate \$35,000 from the Solid Waste Fund reserves for equipment replacement in progress from the previous year's budget.

11. Appropriate \$1,341,425 from the Storm Water bond reserves for the Utahna and Clover Meadow storm drain projects in progress from the previous year's budget.

The purpose of the hearing is to receive and consider public comment concerning the proposed amendments to the Murray City 2018-2019 Fiscal Year Budget before the City Council makes its decision.

Dated August 31, 2018

Murray City Corporation

Jennifer Kennedy, City Recorder

PH 18.27

Date of Publication: September 10, 2018

Murray City Municipal Council

Request for Council Action

INSTRUCTIONS: The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

1. TITLE: (Similar wording will be used on the Council meeting agenda.)

An Ordinance Amending the City's Fiscal Year 2018-2019 Budget

2. KEY PERFORMANCE AREA: (Please explain how request relates to Strategic Plan Key Performance Areas.)
Well Maintained, Planned and Protected Infrastructure and Assets

3. MEETING, DATE & ACTION: (Check all that apply)

☒ Council Meeting OR ☐ Committee of the Whole

☒ Date requested: 09/18/2018

☐ Discussion Only

☒ Ordinance (attach copy)

Has the Attorney reviewed the attached copy? Y

☐ Resolution (attach copy)

Has the Attorney reviewed the attached copy?

☒ Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? Y

☐ Appeal (explain) _____

☐ Other (explain) _____

4. FUNDING: (Explain budget impact of proposal, including amount and source of funds.)

Carry-forward of prior year capital projects, reconciliation of wages and benefits, acceptance of grants, property acquisition, and project reconciliation

4. RELATED DOCUMENTS: (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)
Memo to Council and ordinance

6. REQUESTOR:

Name: Danyce Steck

Title: Finance Director

Presenter: Danyce Steck

Title: Finance Director

Agency: Finance

Phone: (801) 264-2669

Date: 08/29/2018

Time: 2:15 PM

7. APPROVALS: (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director: 

Date: August 29, 2018

Mayor: 

Date: 9/6/18

8. COUNCIL STAFF: (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. NOTES:



Murray City Hall
5025 South State Street
Murray, Utah 84107
www.murray.utah.gov

Danyce Steck, CPFO
Finance Director
(801) 264-2669
dsteck@murray.utah.gov

To: Murray City Municipal Council

From: Danyce Steck, Finance Director

Date: August 27, 2018

Re: Fiscal Year 2019 Budget Opening

A budget opening has been requested for September 18th. This opening will request funds for the following purposes:

- Projects in-progress at FY 2018 year-end (CIP annual roll-forward)
- Receive and allocate for several grant awards
- Reconcile changes in wages and benefit costs due to open enrollment and new hires

The following outlines the items that have been requested for your approval for the fiscal year 2019 budget:

General Fund

Total Reserve Request: \$215,000

Carry-forward Projects

1. The following road projects were under contract as of June 30, 2018 and had budget amounts remaining that need to be carried forward to the current fiscal year. I recommend \$215,000 be appropriated from reserves to the Class C Roads budget for these projects.
 - a. \$80,000 for road sealing projects, and;
 - b. \$135,000 for maintenance of Riverpoint Circle.

Grants and Reimbursements

All the following grants and reimbursements represent both revenue and expense requests; therefore, there is no financial impact to the City.

2. The City received a check in the amount of \$31,907 from the High Intensity Drug Trafficking Areas (HIDTA) Grant for administrative and accounting services for the DEA Metro Task Force. Since this compensation is for work performed by the Finance and Police Department staff, I recommend this amount be added to non-departmental miscellaneous expense.
3. The Valley Emergency Communications Center (VECC) is requiring the City to install a new alerting system. Since this is a requirement of VECC, they will reimbursing the City for the full cost of the system. I recommend this agreement be added to the budget in the amount of \$126,533.

4. The City received a check from the FY2017 Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase supplies and/or equipment for the Police Department. I recommend this agreement be added to the budget in the amount of \$33,401.
5. The City received a check from the State Asset Forfeiture Grant (CCJJ-SAFG) to purchase supplies and/or equipment for the Police Department. There is no financial impact to the City. I recommend this agreement be added to the budget in the amount of \$5,096.
6. The City received a grant from the Emergency Management Preparedness Grant (EMPG) to reimburse the City for work performed by the Fire Department. There is no financial impact to the City. I recommend this agreement be added to the budget in the amount of \$5,500.
7. The City received a grant from the Victims of Crime Act Grant (VOCA) to reimburse the City for victim's advocate program managed by the Police Department. I recommend this agreement be added to the budget in the amount of \$15,921.

Other

The following requests are a reclassification of expenses and have no financial impact to the City.

8. A reconciliation of wages and benefits was performed for all departments after the compensation study was implemented and open enrollment was complete. There is a savings of \$65,814. I recommend this amount be moved to non-departmental miscellaneous expense.
9. Due to some technical requirements, the Engineering Department has requested an exchange of projects between the CIP Fund and the General Fund Class C Roads Department. All projects will still be completed as recommended by the CIP Committee and approved in the FY2019 budget. This exchange only affects the funding source the City uses to pay for the projects.

The financial impact of this exchange is a savings of \$5,000 to the General Fund. I recommend this amount be added to non-departmental miscellaneous expense.

Redevelopment Agency Fund

Total Reserve Contribution: \$100,000

Other

10. The Intermountain Kem C. Gardner Transformation Center is purchasing property located in the Central Business District in the amount of \$100,000. I recommend this revenue be placed in reserves.

Capital Projects Fund

Total Reserve Request: \$11,277,000

Carry-forward Projects

11. Public Works has requested the following capital projects be carried forward to the current fiscal year. These projects were under contract as of June 30, 2018 and had budget remaining at fiscal year-end. I recommend \$11,277,000 be appropriated from reserves for these projects.

- a. \$29,000 for vehicle and equipment for the Fire Department, and;
- b. \$30,000 for two (2) message boards for the Streets Department, and;
- c. \$30,000 for vehicle and equipment for the Streets Department, and;
- d. \$24,000 for mill and overlay at 5770 South, and;
- e. \$40,000 for signal work at Winchester and 1300 West, and;
- f. \$185,000 for improvements to Fashion Blvd, Vine Street, and 5735 South, and;
- g. \$52,000 for improvements to 5900 South, and;
- h. \$250,000 for construction at Commerce and Vine, and;
- i. \$196,000 for design and site work on Hanauer, and;
- j. \$100,000 for bike lanes on 700 West, and;
- k. \$100,000 for the pool deck replacement at the Park Center, and;
- l. \$5,000 for the for architectural services for the Murray Theater for grant submittals, and;
- m. \$156,000 for Microsoft Office and Munis software systems, and;
- n. \$123,000 for environmental studies and work in the downtown area, and;
- o. \$5,717,000 of bond-funded reserves for the construction of Fire Station 81, and;
- p. \$1,440,000 for the planning and design of City Hall, and;
- q. \$2,800,000 for acquisition of the school district property adjacent to City Hall.

Other

12. Due to some technical requirements and scope issues, the Engineering Department has requested an exchange of projects between the CIP Fund and the General Fund Class C Roads Department. All projects will still be completed as recommended by the CIP Committee and approved in the budget. This exchange only affects the funding source the City uses to pay for the projects.

The financial impact of this exchange is \$5,000 from the Capital Projects Fund reserves.

Water Fund

Total Reserve Request: \$1,135,000

Carry-forward Projects

13. Public Works has requested the following water system project be carried forward to the current fiscal year. These projects were under contract as of June 30, 2018 and had budget remaining at year-end. I recommend \$1,135,000 be appropriated from reserves for these projects.

- a. \$70,000 for well equipment for the 360 West and Whitmore well projects, and;
- b. \$65,000 for well rehabilitation for those same wells, and;
- c. \$1,000,000 for the pipeline replacement project on 4500 South.

Wastewater Fund**Total Reserve Request: \$452,000***Carry-forward Projects*

14. Public Works has requested the following wastewater system project be carried forward to the current fiscal year. This project was under contract as of June 30, 2018 and had budget remaining at year-end. I recommend \$452,000 be appropriated from reserves for this project.

- a. \$452,000 for the Walden Glen Lift Station project.

Power Fund**Total Reserve Request: \$612,106***Carry-forward Projects*

15. The following power system projects were under contract as of June 30, 2018 and had budget amounts remaining that need to be carried forward to the current fiscal year. I recommend \$560,000 be appropriated from reserves for these projects.

- a. \$250,000 for the SCADA and OMS systems, and;
- b. \$310,000 for two (2) line trucks currently in production.

Other

16. A reconciliation of wages and benefits was performed for power department after the compensation study was implemented and open enrollment was complete. There is a savings of \$22,894 that I recommend be contributed to reserves.

17. The Power Department has seen an increase in requests for new service from the construction of multi-family housing. As a result, the Power Department has requested additional funding in the amount of \$75,000 to replenish their inventory of small residential meters.

Solid Waste Fund**Total Reserve Request: \$35,000***Carry-forward Projects*

18. Public Works has requested to carry-forward \$35,000 for the purchase of a small loader for the Solid Waste Department.

Storm Water Fund

Total Reserve Request: \$1,341,425

Carry-forward Projects

19. Public Works has requested the following storm water system project be carried forward to the current fiscal year. This project was under contract as of June 30, 2018 and had budget remaining at year-end. I recommend \$1,341,425 of bond-funded reserves from the Series 2016 Storm Water Revenue Bonds be appropriated for the Utahna and Clover Meadow storm drain projects.

Please let me know if you have any questions. You can reach me at (801) 264-2669 or at dsteck@murray.utah.gov.

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY'S FISCAL YEAR 2018-2019 BUDGET

On June 12, 2018, the Murray City Municipal Council adopted the City's budget for Fiscal Year 2018-2019. It has been proposed that the Fiscal Year 2018-2019 budget be amended as follows:

1. Appropriate \$215,000 from the General Fund reserves for prior year road maintenance projects in progress.
2. Receive and appropriate the following grants and/or reimbursements in the General Fund with no financial impact:
 - a. \$31,907 from the HIDTA Grant for administrative and accounting services for the Metro DEA Task Force, and;
 - b. \$126,533 from VECC for a new alerting system, and;
 - c. \$33,401 from the FY2017 Edward Byrne Memorial Justice Assistance Grant for police supplies and/or equipment, and;
 - d. \$5,096 from the State Asset Forfeiture Grant for police supplies and/or equipment, and;
 - e. \$5,500 from the Emergency Management Preparedness Grant for services performed by the Fire Department, and;
 - f. \$15,921 from the Victims of Crime Act Grant for support of the victim's advocate program.
3. Reclassify the following expenses in the General Fund with no financial impact:
 - a. Decrease the budget by (\$65,814) from the reclassification of wages and benefits between departments for changes resulting from the implementation of the compensation plan and open enrollment, and;
 - b. Decrease the budget by (\$5,000) from the exchange of two road projects from the CIP fund for two road projects in Class C Roads, and;
 - c. Increase the budget for Non-departmental Miscellaneous expense by \$70,814.

4. Contribute \$100,000 to the Redevelopment Agency Fund reserves for the sale of property.
5. Appropriate \$11,282,000 from the Capital Projects Fund reserves for projects in progress from the previous year's budget including:
 - a. \$7,257,000 for building construction and improvement, and;
 - b. \$2,800,000 for land acquisition, and;
 - c. \$852,000 for infrastructure, and;
 - d. \$245,000 for vehicle and equipment replacement, and;
 - e. \$123,000 for maintenance, and;
 - f. \$5,000 for professional services.
6. Appropriate \$5,000 from the Capital Projects Fund reserves to reclassify the exchange of 2 projects from the CIP fund for 2 projects budgeted under Class C Roads.
7. Appropriate \$1,135,000 from the Water Fund reserves for well and pipeline replacement projects in progress from the previous year's budget.
8. Appropriate \$452,000 from the Wastewater Fund reserves for the Walden Glen Lift Station project in progress from the previous year's budget.
9. Appropriate \$612,106 from Power Fund reserves for the following:
 - a. Increase the budget by \$560,000 for support systems and vehicle replacement projects in progress from the previous year's budget, and;
 - b. Decrease the budget by (\$22,894) for changes resulting from the implementation of the compensation plan and open enrollment, and;
 - c. Increase the budget by \$75,000 for an inventory of small residential meters from increased construction of multi-family housing.
10. Appropriate \$35,000 from the Solid Waste Fund reserves for equipment replacement in progress from the previous year's budget.

11. Appropriate \$1,341,425 from the Storm Water bond reserves for the Utahna and Clover Meadow storm drain projects in progress from the previous year's budget.

Section 2. Effective Date. This Ordinance shall take effect on first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 18th day of September, 2018.

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2018.

Douglas Blair Camp, Mayor

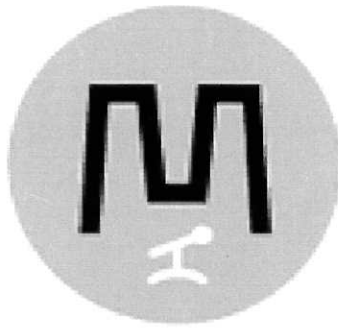
ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the ____ day of _____, 2018.

Jennifer Kennedy, City Recorder



MURRAY
CITY COUNCIL

Public Hearing #2

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 18th day of September, 2018, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to the consideration of amending the General Plan from Low Density Residential to Medium Density Residential and amending the Zoning Map from the R-1-8 zoning district to the R-M-15 zoning district for the properties located at approximately 770 West Apple Gate Way, known as the Apple Gate Condominiums, Murray, Utah.

The purpose of this hearing is to receive public comment concerning the proposed amendment to the General Plan and Zoning Map as described above.

DATED this 28th day of August, 2018.



MURRAY CITY CORPORATION


Jennifer Kennedy
City Recorder

DATE OF PUBLICATION:
PH 18.26

September 7, 2018

ORDINANCE NO. _____

AN ORDINANCE RELATING TO LAND USE; AMENDS THE GENERAL PLAN FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL AND AMENDS THE ZONING MAP FROM R-1-8 TO R-M-15 FOR THE PROPERTIES LOCATED AT APPROXIMATELY 770 WEST APPLE GATE WAY, MURRAY CITY, UTAH, KNOWN AS THE APPLE GATE CONDOMINIUMS. (Applegate HOA / Kyle Lind.)

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

WHEREAS, the owner of the real properties located at approximately 770 West Apple Gate Way, Murray, Utah, has requested a proposed amendment to the General Plan of Murray City to reflect a projected land use for the property as Medium Density Residential and to amend the zoning map to designate the property in an R-M-15 zone district; and

WHEREAS, it appearing that said matter has been given full and complete consideration by the Planning and Zoning Commission; and

WHEREAS, it appearing to be in the best interest of Murray City and the inhabitants thereof that the proposed amendment of the General Plan and the Zoning Map be approved.

NOW, THEREFORE, BE IT ENACTED:

Section 1. That the Murray City General Plan be amended to show a Medium Density Residential projected use for the following described property located at approximately 770 West Apple Gate Way, Murray City, Salt Lake County, Utah, known as the Apple Gate Condominiums:

PARCEL 1:

BEGINNING AT A POINT NORTH 284.86 FEET AND WEST 30.04 FEET FROM THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE 582°23" W 474.04 FEET; THENCE N 34°21' W 169.89 FEET; THENCE N 22°00' E 347.21 FEET; THENCE N 65°00' W 67.60 FEET TO A POINT OF A 560.0 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 390.95 FEET TO THE POINT OF TANGENCY; THENCE N 25°00' W 150.00 FEET; THENCE N 65°00' E 70.00 FEET; THENCE NORTH 139.52 FEET; THENCE EAST 306.40 FEET; THENCE N 37°00' E 245.00 FEET TO A POINT ON THE EASTERLY AND NORTHERLY BANK OF A DRAIN DITCH; THENCE S 80°21'40" E ALONG SAID BANK 194.14 FEET; THENCE S 64°34' E ALONG SAID BANK 78.94 FEET; THENCE

SOUTH 366.87 FEET; THENCE S 31°00' E 69.72 FEET TO THE WEST LINE OF A MURRAY CITY ROAD; THENCE ALONG SAID WEST LINE AS FOLLOWS S 1°23'54" E 127.84 FEET TO A POINT OF A 500.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 118.995 FEET TO A POINT OF A REVERSE CURVE TO THE LEFT; THE RADIUS POINT OF WHICH IS S 77°45'45" E 566.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 128.42 FEET TO THE POINT OF TANGENCY THENCE S 0°45'45" E 285.725 FEET TO THE POINT OF BEGINNING.

CONTAINS 15.023 ACRES

PARCEL 2:

BEGINNING AT A POINT NORTH 1101.91 FEET AND WEST 765.38 FEET FROM THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE S 65°00' W 70.00 FEET TO A POINT OF A CURVE TO THE LEFT; THE RADIUS POINT OF WHICH IS S 65°00' W 130.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 90.76 FEET TO A POINT OF A COMPOUND CURVE TO THE LEFT, THE RADIUS POINT OF WHICH IS S 25°00' W 230.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID COMPOUND CURVE 193.11 FEET; THENCE N 23°06'27" W 70.00 FEET; THENCE N 66°53'33" E 314.94 FEET; THENCE N 50°00' E 41.585 FEET; THENCE N 31°00' W 406.24 FEET; THENCE N 16°30' W 174.85 FEET; THENCE N 71°43'10" E 110.185 FEET; THENCE N 65°13' E 129.40 FEET; THENCE N 89°47'45" E 71.08 FEET; THENCE S 76°17'10" E 134.45 FEET; THENCE S 45°06'45" E 50.45 FEET; THENCE S 33°05'30" E 221.02 FEET; THENCE S 27°05'15" E 138.86 FEET; THENCE S 31°37'40" E 169.79 FEET; THENCE S 37°00' W 245.00 FEET THENCE WEST 306.40 FEET; THENCE SOUTH 139.52 FEET TO THE POINT OF BEGINNING.

CONTAINS 8.649 ACRES.

Section 2. That the Zoning Map and the zone district designation for the property described in Section 1 be amended from the R-1-8 zone district to the R-M-15 zone district.

Section 3. This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council
on this day of , 2018.

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST:

Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this ____ day of _____, 2018.

MAYOR'S ACTION:

DATED this ____ day of _____, 2018.

D. Blair Camp, Mayor

ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the ____ day of _____, 2018.

Jennifer Kennedy, City Recorder

Seconded by Ms. Wilson.

Call vote recorded by Mr. Hall.

 A Ned Hacker
 A Sue Wilson
 A Maren Patterson
 A Phil Markham
 A Lisa Milkavich
 A Travis Nay

Motion passed 6-0.

APPLEGATE H.O.A. GENERAL PLAN AMENDMENT & ZONE MAP AMENDMENT – 770
West Apple Gate Way – Project #18-93

George Cohen, representing the Applegate Home Owners Association (H.O.A.), was present to represent this request. Zac Smallwood reviewed the location and request for the Planning Commission to approve a General Plan Amendment to change the future land use designation for the property addressed 770 West Apple Gate Drive from Low Density Residential to Medium Density Residential. The property is 23.5 acres and zoned R-M-15. When the property was developed in the early 1970's, it was an R-2-A Zone and it allowed for this type of development. It was later rezoned to be an R-1-8 zone. The Applegate HOA has the desire to update the properties to the R-1-15. Staff has not received information about future plans for the properties. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the requested General Plan Amendment changing the land use designation of the property from Low Density Residential to Medium Density Residential, as well as Zone Map Amendment approval from the R-1-8 to the R-M-15 zone.

Mr. Nay asked if the surrounding areas have higher density zoning. Mr. Smallwood answered yes, as well as R-1-8 housing, and a Church and a School also surround the neighborhood.

Ms. Patterson asked hypothetically, if the area were to be developed as an R-1-8 zone would single-family homes be the approved density. Mr. Smallwood answered, yes. Ms. Patterson asked what the process would be if the applicant decided to develop the property. Mr. Smallwood explained that the process is lengthy, and the applicant would have to come before the Planning Commission and City Council because the property is currently legal non-conforming. This is a step in the right direction because it is bringing the property one step closer to what physically exists now. The City currently does not have an application for any future development for the property and can't speculate what may or may not happen in the future if it is rezoned. Ms. Wilson added that the rezone will allow for the land the current condos are on to be zoned correctly.

Mr. McNulty added that if a building were to burn down, the City would be in a difficult position to allow for a rebuild of the condos because the land is zoned for single-family homes. The current R-1-8 zone does not allow for condo development. Currently it is non-conforming to the zone as well as to the General Plan Land Use map. Mr. Nay added that the property owners in the vicinity would receive notice of any future developments.

George Cohen, 3356 El Segundo Drive, stated he has reviewed the recommended

conditions of approval and will comply. Mr. Cohen stated that the Applegate HOA took a vote and 85% of the people voted. Out of the 85% that voted 15% percent of the people did not want to move forward with the zone change. Mr. Nay asked how many needed to be present to have a quorum. Mr. Cohen answered it was 2/3 and they were all owners.

The meeting was opened for public comment.

Calvin Noyce 5219 South Gravenstein Park, states he is a condo owner who submitted a vote to the HOA. Mr. Noyce stated he is in support of the rezone and has attended several neighborhood meetings about what could happen if it is rezoned to be in compliance. It is thought that some new development might take place in the future, but nothing has been decided.

Bruce Craig, 5365 Baldwin Park, stated he is against the proposal and wants proof that 85 % of the HOA voters are in favor of the proposal. Mr. Nay stated the City is not in receipt of the information and it is just a part of Mr. Cohen's statement. Mr. Markham stated that even though the information was presented it is not a deciding factor on the land use approval tonight. Ms. Milkavich suggested that the HOA might have a policy or procedure for the voting process and they may have kept written records of the vote he could obtain a copy of. Mr. McNulty added that the City is not a party to the HOA and we have to take what they are telling us at face value, the issue is a civil matter.

Gerald Andersch, 5335 Majestic Village Circle, stated he is opposed to the rezoning effort because he feels it represents an adverse future development in his neighborhood.

Ms. McFadden, 5329 Ben Davis Park, asked if the the purpose of the meeting is to rezone the entire complex to R-M-15 to help mitigate possible future issues with zoning and asked if there is any proposal for future development. Mr. Nay stated she is correct and the City is not aware of addressing any future development at this time.

Laurel Brown, 5311 Lucky Clover Lane, stated she is getting the impression from this meeting that the reason for the rezone is because of fire danger, but she believes the actual reason for the change is because the Applegate HOA wishes to pursue future development. Ms. Brown asked what date the Applegate private road off of Murray Blvd. was closed off and used for RV parking. Ms. Brown also asked if the zoning is changed to R-M-15 will the Applegate condos be required to have an additional egress.

Carolyn Burke, 5265 S Gravenstein Park, stated she is in support of the rezone and since learning about the possible issues that could arise if not rezoned she is even more resolute in her decision.

Larry Payne, 869 W Spring Clover Drive, asked what R-M-15 represents, how tall can the units be. Mr. Payne also stated that he knows for a fact that if one of the buildings were to burn down that a condo building could be rebuilt because the insurance company will pay for it and lenders will provide financing. Mr. Payne stated that he believes the actual problem is that Murray City will decide to not let them. Mr. Payne added if additional units are built they will have traffic issues and fire and police access problems.

Lantz Monson, 5325 Majestic Village Circle, stated he is against the rezone and agrees with Mr. Payne. Mr. Monson stated he believes that this is just the first step that would allow a possible development in the future and suggested that the Planning Commission disapprove

the rezone now because it would be easier if they could avoid more public meetings and to not have to do their jobs.

Mr. Nay asked that the public audience keep the clamor quiet to make it possible for the audio recording to be clearly heard.

Kyle Lind, address unknown, HOA President, stated he is in support of the rezone and stated his first objective is to correct the property rezoning. This may lead to future development because there is a lot of excess land in Applegate that could be used. Mr. Lind added he respects the opinions of the other Applegate residents and that the voting process was legitimate. The HOA fees are very expensive and it is difficult for them to take care of the land appropriately. This will be a way to raise approximate 3 million dollars needed to make the necessary improvements. Mr. Nay asked if the HOA has had to issue a special assessment for the general upkeep of the property in the last 5 years. Mr. Lind answered yes, in 2015 they had a special assessment to pay off a loan.

Dave Brown, 5311 Majestic Village Circle, asked why any possible redevelopment has to be a higher density and suggested it be zoned to a lower density like single family to avoid encroachment of apartments and condos on the abutting single-family zone. Mr. Brown suggested that the City grandfather the property.

Alex Higham, 5264 South Rome Beauty Park, stated she is in favor of the rezone as a way to possibly move forward with future development of open space and raise the revenue to update and improve the Applegate Condos.

Ron Barbano, 5363 South Lucky Clover Lane, stated he is against the rezone because the access road for Applegate is behind his house and he has traffic, noise, and trash concerns.

Kristine Dunn, 5320 South Majestic Village Circle, stated that Horizon Elementary is a Title One School and it brings a lot of children from low income families in. Ms. Dunn believes that when people buy homes in the neighborhood and find out the impact on the Elementary School, they sell their homes. It effects the home values of the neighborhood. Ms. Dunn stated that this area has enough high density and the City needs to look at other areas to spread out the load of high density living. Ms. Dunn stated that Applegate's mismanagement is not her problem.

Mary Ann Parker, 835 Lucky Clover Circle, stated she also owns an Applegate condo at 5275 Rome Beauty Park, and attended the HOA meeting. At that time she was undecided and never submitted an official vote, but is opposed to the rezone for many reasons. Ms. Parker suggested the property be grandfathered to the original and correct zone by the City. Ms. Parker added only the residents in the single-family zone are part of the original community and the nearby higher density neighborhoods are not and that the residents in the single-family zones are being burdened by the move-in people in the multi-family zones.

Ronald Dunn, 5320 Majestic Village Circle, stated he now feels that this is not an innocuous zone change that he was led to believe, instead he believes that Mr. Lind wants to redevelop the site because of the mismanagement and embezzlement of the HOA funds. Mr. Dunn stated that his calculations led him to believe that 173 new units could conceivably be built. Mr. Markham replied that his statement is misinformation. Mr. Nay added that is a gross exaggeration of what could be possible. Mr. Markham added that is not what is being discussed tonight on the agenda. Mr. Dunn further added that he believes this is a fund-

raising activity for the HOA at the expense of the neighborhood.

Dave Dodds, 5123 South Lucky Clover Lane, stated that he has learned this is the first step for a possible redevelopment and believes this is clearly the intent for a rezone. Mr. Dodds suggested that the Planning Commission stop the rezoning now in an attempt to save the Planning Commission Committee time and to spare the residents from having more public meetings.

Kathleen Keith, 5307 Ben Davis Park, stated she was offended by the previous statement that referred to the multi-family residents as "those people". Ms. Keith stated that if more units were developed in the future, that they would help the Applegate condo area look much more pleasant and the surrounding neighbors should be pleased. Ms. Keith added that she is a new resident to Applegate and that she likes her home and that she doesn't like it when people talk down to her. She is in support of the rezone.

Nicki Ewell, 5358 South Baldwin Park, stated she did not vote for the rezone because she felt there was a lot of mis-information from the HOA and the voting process was conducted in an inappropriate manner. Ms. Ewell asked, since there has been so much misinformation from the HOA can they rescind their vote now. Mr. Nay stated that the City cannot give any advice on the matter and it has already been addressed by Mr. McNulty that it is a private matter. Ms. Ewell suggested that the votes were falsified by the HOA. Ms. Ewell stated that the Applegate property has only about 21 acres due to the expansion of 700 West, not 23 acres. Ms. Ewell asked why the city won't grandfather the property in to be compliant with the zoning.

Richard Hansen, 5269 Lucky Clover Lane, stated he believes that the HOA is using the guise of a zone correction to actually pursue development. Mr. Hansen feels that if the rezone to R-M-15 is allowed, that the neighborhood in his opinion will turn into the ghetto of tomorrow, similar to what was allowed on Vine Street and that whoever was involved in allowing such a decision should be strung up. Mr. Nay clarified that they are two different zoning districts. Mr. McNulty notified Mr. Hansen that his comments were out of line and to cease. Mr. Hansen replied that he does not believe whoever was in charge of that decision at the time did the job correctly. Mr. McNulty stated that he understood Mr. Hansen's concerns and reminded him again that his comments are still out of line.

Kathy Bridge, 825 Lucky Clover Circle, stated she believes that it is obvious from the comments in the meeting that this will be developed as soon as the application is approved. Ms. Bridge stated that she has learned though her sons experience that development can happen on adjacent property and this rezone could mean that new condo units could be built in the backyards of the Lucky Clover Lane residents.

Alma Haskell, 5287 Clover Meadow Drive, asked if the current legal non-conforming condo units could have improvements made to them based on the fact they were previously legal at one time in the 1970's. Mr. Haskell asked if the rezone could allow up to 270 additional condo units to be built depending on the acreage. Mr. Haskell added that he is aware the City Council is responsible for making a decision based on input at tonight's meeting. He understands the need for affordable housing, the need for accommodating the growing population and believes high density developments next to the TRAX station are a good idea but not a good idea next to a single-family neighborhood. Mr. Haskell stated he generally approves of more street connectivity and if this rezone allows more units, he hopes a traffic study will be conducted. Mr. Haskell stated that he does not believe the additional units can

be built because the PUD most likely requires a certain amount of open space to remain and asked if the HOA bylaws were not followed correctly could this decision be postponed tonight until the HOA figures out the discrepancies.

Jerry Patterson, 5341 Majestic Village Circle, stated his backyard abuts the Applegate Condominium Complex and their egress road is also near his home and continued to explain that the reason he purchased his home in this neighborhood was because of the low density of the neighborhood.

Deborah Rossie, 877 West Spring Clover Drive, stated she is opposed to the rezone and that she feels sorry for the financial problems that Applegate has endured, but feels this should not be a problem that the rest of the neighborhood should have to swallow. Ms. Rossie fears for the safety of children who play in the streets when the traffic increases in the future. Ms. Rossie believes the City is using the analogies about a unit burning down as a scare tactic to counsel people into voting for the rezone.

Lois Huebner, 774 West Lucky Clover Lane, stated she has privacy concerns because her backyard faces the Applegate community and there is a change in grade in the property behind her house. She believes if new units are built they will be able to see directly into her windows and backyard even if she encloses her chain link fence in the future. Ms. Huebner added that she has traffic concerns, issues with headlights shining into her home and the access that people have to the neighborhood using 700 West and surrounding streets.

Chris Reed, 5265 Rome Beauty Park, asked if it is rezoned to multi-family is there an ordinance that would prohibit a developer from building a six-story high apartment building.

Colleen Brown, 5311 Majestic Village Circle, stated she was undecided until now and feels that the compromise is for Murray City to grandfather the condo units and leave the zoning as it is. Ms. Brown added she is interested to know how many of the people who are residents of Applegate are actually property owners. Ms. Brown suggested that if the land is developed that it should be developed at the same density as the existing condo units and that she is opposed to the rezone.

Deborah Ng, 5330 Majestic Village Circle, stated she believes that the Planning Commission has the ability to rezone the property and not increase the density.

The public comment portion for this agenda item was closed.

Mr. Nay asked what the maximum height allowance is allowed in the R-M-15 zone. Mr. Smallwood answered it is 40 feet and the maximum height for a single-family home is 35 feet, only a 5-foot difference.

Mr. Nay asked if the units can be grandfathered. Mr. Hall explained that grandfathering is a common term for legal non-conforming uses, and Murray City code states that if established as legal non-conforming uses, they can be rebuilt to their existing standards. He would have to research the code to know if they can be improved or changed at this point. Generally speaking, if they are established as legal non-conforming they can be rebuilt to their existing standards, same height, etc. Financing is easier to get if you are established as conforming. Even with the zoning changing from R-1-8 to R-M-15, this is a very challenging piece of property to redevelop because it is not a blank slate. It is an established community with many individual property owners that would need to vote on every process along the way.

Some of the issues that would have to be mitigated to develop that land are building height limits of 40 feet, density limits, secondary access, and public streets. At this point, none of the issues surrounding a possible development have been researched or considered by Staff because that is not before us tonight. The only thing that has been considered to date is the validity and appropriateness of Applegate establishing they are an existing multi-family development in a single-family zone and would it be more appropriate to rezone the community as a multi-family development. Regardless of what comes after, this is a very complicated question. In terms of what immediately happens as a result of the rezone, the answer is nothing. When property appraisers inquire if the properties are conforming or non-conforming, we are able to answer that they are conforming. Staff is not able to answer some of the questions asked tonight because there has not been enough information provided to us about the possible redevelopment of the property. We have to research back to the 1970's to give accurate information. The only answer we can give about the appropriateness of the zoning is that Staff feels the rezoning is still appropriate, regardless of other applications for redevelopment that may or may not happen. Mr. Nay asked if the original use was multi-family and when did it change to single-family. Mr. Hall answered yes, and it changed sometime in the 1970's.

Mr. Markham commented that the concerns about density, egress, ingress and all of the other concerns in tonight's meeting would have to be addressed and cleared up before any change to the property would be allowed. There are no easy answers to all the concerns and that just illustrates how complicated and lengthy the process would be to do to anything with property in the future. This application is a result of simply trying to clean up the zoning and get it in line with the General Plan Land Use map.

Ms. Patterson asked what the legal parameters are that the City and Planning Commission are held to that would address the suggestions by the residents to keep the zoning as it is. Mr. Hall stated after the application is received we are obligated to look at it on its merits. They are simple: the property is multi-family condominium property and the density is allowed. What we should not do is look at the application for a rezone as consideration for a possible future project. That current application is the only thing that has been presented and that is all we are looking at tonight. We view it as something should be done, and we recommend it to the Planning Commission to forward to the City Council.

Mr. McNulty asked for the density in the R-M-15 to be addressed. Mr. Hall stated that the R-M-15 is the name of the zone but the base density is 12 units to the acre. Many requirements and logistical concerns would have to be resolved to get up to 12 units per acre. Those logistical concerns have not been looked at this point, because it's not the application before us, so it's hard to say if the property would meet all of the requirements to be granted maximum 12 units.

Mr. Hacker stated that there have been a lot of question about the legality of the dealings of the HOA and asked if there is anything the City can do about holding off on a decision based on the desire of the citizens wanting time to possibly look into the HOA further. Mr. Hall stated that he does not believe it would be the place of the Planning Commission. We received an application signed by the HOA president, it was notarized, and we have to take that at face value. If the HOA feels that is not representative of the truth then they would have to deal with that by what the bylaws and their CC&R's allow. Their application could be continued with direction to do a specific task, but that doesn't seem appropriate on our behalf. If the HOA wants to pursue some course of action that would have to be left up to them.

Briant Farnsworth, Murray City Deputy City Attorney, stated that the City does not have any way to mandate the Applegate HOA to follow any specific course of action and the City is not a party to the HOA. We have received a notarized application and have to take it at face value. If there is a challenge to a HOA vote that is a separate civil matter.

Ms. Patterson stated there was a comparison in density to the density at Vine Street and Commerce Drive and asked why that zoning and density is different than that at Applegate. Mr. Smallwood stated that the intention of the Mixed-Use zone is to allow higher density housing near transit. The density for Vine Street would not be allowed at Applegate. Ms. Patterson stated that there were resident concerns about low income housing and asked if the Mixed-Use zone and low-income housing have any correlation in this area. Ms. Patterson explained that zoning at Vine Street and the possible rezone would not affect the Applegate Community or the surrounding neighborhood in the way they believe it might. Mr. McNulty stated the development at Vine Street is known as Murray Crossing and it approaches a density of 60 units per acre because it is close to TRAX. The City would not consider similar zoning for the Applegate Condos. The purpose of this meeting is for the PC to entertain a motion and make a recommendation to the City Council. In about a month this item will be reviewed by the City Council, and the public is encouraged to attend and submit comments. The City Council is the approval or denial authority for the City for this type of application. Notices will be sent for the City Council meeting. If grandfathering of the property was perused, every single property owner in Applegate would have to ask for that determination. The fact is that the properties are non-conforming, and the zone no longer exists in the City. Mr. Smallwood added that if an application were received for any future development that the residents would be noticed again and there would be welcomed to come back and speak again.

Mr. Markham stated he is very grateful for the turn out tonight and has listened to all the public and stated that he refuses to give up Murray City's democratic process or eliminate meetings just because difficult decisions need to be made. No resident would be happy if we did not continue this process to save ourselves some grief. That would be a huge mistake in any area in this country or community. We need to hear people, different opinions, and make decisions. Mr. Markham stated he has concerns for Applegate. If this community continues to go down then the surrounding neighborhoods will be severely impacted slowly over time because the value of the condos will continue to deteriorate, and they won't have the money to improve the property. The survival of the Applegate condos is a potential asset to Murray and this is an opportunity to allow them to try to make the necessary improvements. The challenges will be huge, all of the concerns voiced tonight are accurate in regard to density, traffic, proximity to neighborhoods, ingress, and egress. It may not even be a developable project in terms of what will be required by the City codes.

Mr. Hacker reminded those present that the City does not have any legal recourse for the Applegate HOA but, wanted to personally recommend that the HOA spend some quality time with all of the surrounding residents and come to a resolution for other possible solutions that would still be a benefit to the community.

Ms. Patterson stated hypothetically, that if the Applegate properties were to be grandfathered, they technically were there before anything else and that the zoning was originally a multi-family property. This is already a multi-family property. Whether it is grandfathered as a multi-family property or rezoned as a multi-family property in the end it will still be a multi-family property. Mr. Nay agreed and stated that it was originally built as a

multifamily property.

Ms. Milkavich stated that she strongly agrees with the statements of Mr. Markham and Mr. Hacker and encouraged the HOA and surrounding neighbors to come to an agreement and that the democratic process should always be followed.

Mr. Hacker made a motion that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested General Plan Amendment changing the land use designation of the property addressed 770 West Apple Gate Drive from Low Density Residential to Medium Density Residential.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

 A Ned Hacker
 A Phil Markham
 A Maren Patterson
 A Sue Wilson
 A Lisa Milkavich
 A Travis Nay

Motion passed 6-0.

APPLEGATE H.O.A. ZONE MAP AMENDMENT – 770 West Apple Gate Way – Project #18-94

Mr. Markham made a motion that the Planning Commission forward a recommendation of approval to the City Council for the requested Zone Map Amendment for the property located at 770 West Apple Gate Drive from R-1-8 to R-M-15.

Seconded by Ms. Wilson.

Call vote recorded by Mr. Hall.

 A Phil Markham
 A Sue Wilson
 A Maren Patterson
 A Lisa Milkavich
 A Ned Hacker
 A Travis Nay

Motion passed 6-0.

OTHER BUSINESS

Mr. McNulty stated that the APA Conference is on October 4th and 5th at Jordan Commons in Sandy. It is known that Mr. Nay will join Staff at the conference. If there is any interest among other PC members, the last opportunity to register is August 3, 2018.

The Planning Commission training will be held on Wednesday, August 22nd 6 p.m. to 7:30



**MURRAY CITY CORPORATION
ADMINISTRATIVE &
DEVELOPMENT SERVICES**

B. Tim Tingey, Director

Building Division
Community & Economic Development
Geographic Information Systems

Information Technology
Recorder Division
Treasurer Division

TO: Murray City Planning Commission

FROM: Murray City Community & Economic Development Staff

DATE OF REPORT: July 27, 2018

DATE OF HEARING: August 2, 2018

PROJECT NAME: Applegate General Plan Amendment

PROJECT NUMBER: 18-93

PROJECT TYPE: General Plan Amendment

APPLICANTS: Kyle Lind

PROPERTY ADDRESS: 770 West Apple Gate Drive

SIDWELL #: 21-11-478-174

ZONE: R-1-8 Single Family Residential

PROPERTY SIZE: 23.5 acres

I. REQUEST:

Kyle Lind, representative for the Apple Gate Condominium's Home Owner's Association (HOA) is requesting a General Plan Amendment to change the future land use designation for the property addressed 770 West Apple Gate Drive from Low Density Residential to Medium Density Residential

II. BACKGROUND AND ANALYSIS

Background:

The Applegate Condominium development was approved in the 1970s as a multi-family development in the R-2A zone. The process in the R-2A zone allowed the density and housing type (attached condominiums) as permitted uses. The R-2A zone was eventually replaced with the R-1-8 designation. In addition, representatives of the Applegate Condominiums HOA will propose to rezone the property from R-1-8 to R-M-15, which would bring the development into conformance with the current zoning ordinance.

The Applegate Condominiums HOA is interested in a possible subdivision of property to potentially sell a portion of their land for further development in order to generate revenues needed for property improvements. There are multiple factors to be considered in association with further subdivision and development of an existing condominium complex like the Applegate Condominiums; however, the amendment to the Future Land Use Map and the associated request (separate item) to amend the Zoning Map in order to bring the property into compliance should be considered independently of the potential subdivision.

Site Location/Detail

The Applegate Condominiums are located near the northwest corner of 5300 South and 700 West. The development contains 172 units on 23.5 acres of land.

General Plan

The current land use designation of the subject property is Low Density Residential, however; there can be flexibility in the General Plan and the future land use designation of properties if there are adequate reasons for an amendment. Although the land use designation is for low density residential uses, there are 172 existing multifamily condominium units on the subject property, as well as multifamily residential development to the northeast. The proposed Medium Density Residential land use designation would not be out of character for the area, and would more accurately reflect the current use of the property.

Surrounding Land Use & Zoning

| <u>Direction</u> | <u>Land Use</u> | <u>Zoning</u> |
|------------------|-----------------------------|---------------|
| North | Residential, Public | R-1-8 |
| South | Residential | R-1-8 |
| East | Retail, Healthcare Facility | C-N |
| West | Residential | R-1-8 |

Allowed Land Uses

Existing

The current Low Density Residential designation is intended for single family, detached homes with densities between 1 and 8 dwelling units per acre. The zoning classifications corresponding to the low density residential designation are A-1, R-1-12, R-1-10, R-1-8 and R-1-6. These zones allow for single-family development and accessory uses, as well as public and quasi-public uses with conditional use permits.

Proposed

The Medium Density Residential designation is intended to allow for a mix of housing types including single family detached homes as well as higher density, multi-family units such as condominiums, with densities between 6 and 15 dwelling units per acre. The zoning classifications corresponding to the medium density residential designation are R-1-6, R-M-10, and R-M-15. These zones allow for single family and multi-family residential development and for public and quasi-public uses with conditional use permits.

III. PUBLIC INPUT

As of the date of this report, staff has received an email and several phone calls in opposition to the proposed General Plan Amendment. The email has been attached to this report.

IV. GENERAL PLAN ANALYSIS

The purpose of the General Plan is to provide overall goal and policy guidance related to planning issues in the community. The plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Chapter 5 of the Murray City General Plan identifies the goals and objectives for land use in the community. The plan also identifies future land use as depicted in the future land use map.

V. FINDINGS

A. Is there need for change in the General Plan and the proposed zoning at the subject location for the neighborhood or community?

The subject property is within an established neighborhood. It is an existing multi-family community that is nonconforming to the R-1-8 zoning in which it is located. Because of the large number of nonconforming properties, it was decided that requests to amend the General Plan and the Future Land Use Map in order to correct nonconforming uses should be considered on a case by case basis.

Chapter three (3) of the Murray City General Plan calls for reinvestment in stable communities to maintain property values. Allowing this change in land use designation will create opportunities for the Applegate Condominiums to reinvest in the property.

B. If approved, how would the range of uses allowed by the Zoning Ordinance blend with surrounding uses?

The range of zoning designations corresponding to the proposed land use designation include the current use of the subject property. There are several multi-family developments in the surrounding area, as well as single family neighborhoods, retail, and public land uses.

C. What utilities, public services, and facilities are available at the proposed location? What are or will be the probable effects the variety of uses may have on such services?

Utilities, public services and facilities are already provided within this existing development. Staff does not anticipate that any additional adverse effects on these services would occur as a result of the change of land use designation to medium density residential.

VI. CONCLUSION

- i. Although the General Plan identifies the subject property as Low Density Residential, the existing, established land uses correspond to the Medium Density Residential designation.
- ii. The General Plan allows for flexibility to maintain existing and stable neighborhoods.
- iii. The requested change has been carefully considered based on characteristics of the site and surrounding area and policies of the General Plan.
- iv. The proposed land use designation is supported by the General Plan.

VII. STAFF RECOMMENDATION

Based on the above findings, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested General Plan Amendment changing the land use designation of the property addressed 770 West Apple Gate Drive from Low Density Residential to Medium Density Residential.

Zachary Smallwood, Associate Planner
Community & Economic Development
801-270-2420
zsmallwood@murray.utah.gov

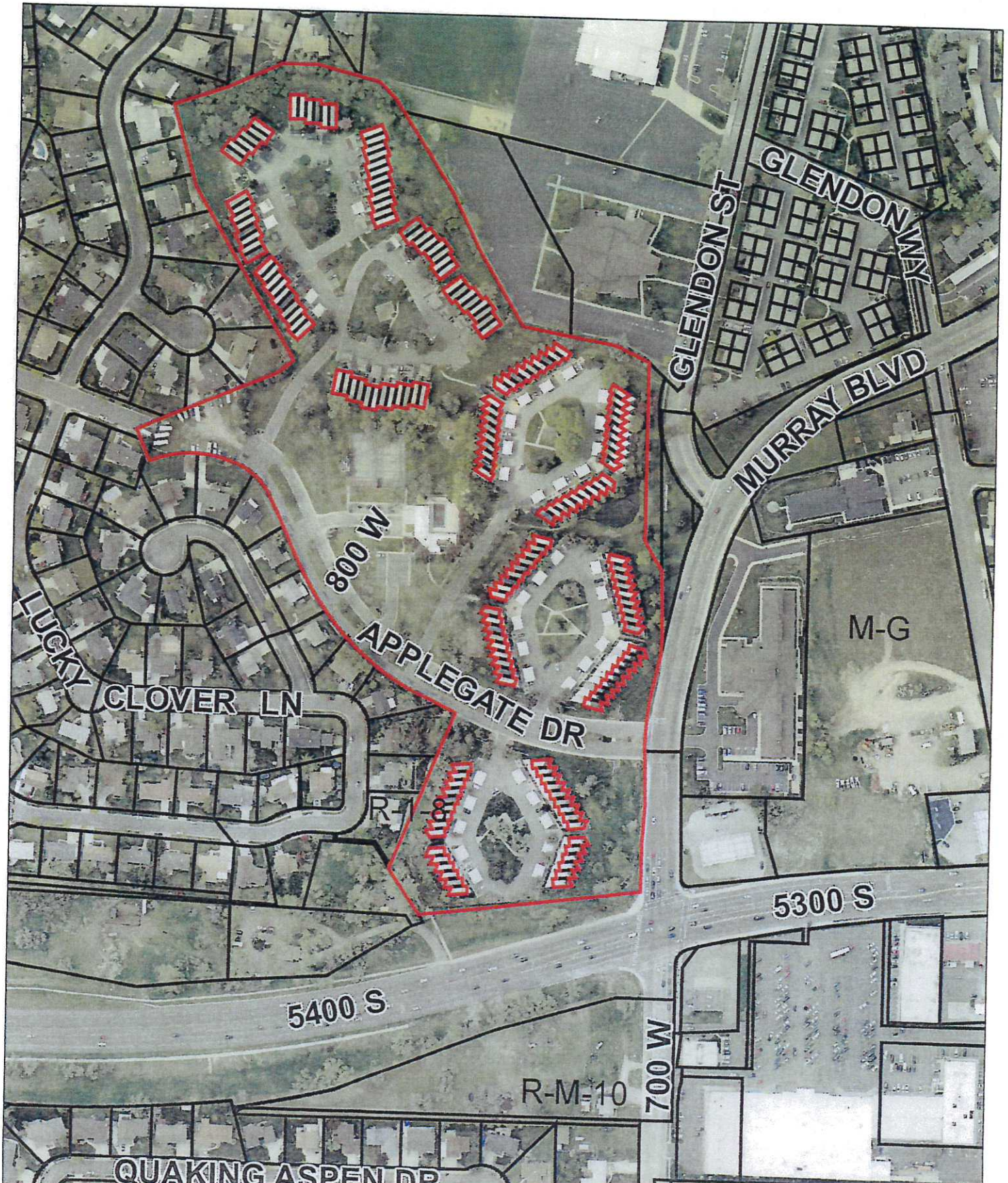
Site Information



770 West Apple Gate Way



MURRAY
ADMINISTRATIVE &
DEVELOPMENT SERVICES





July 19, 2018

NOTICE OF PUBLIC MEETING

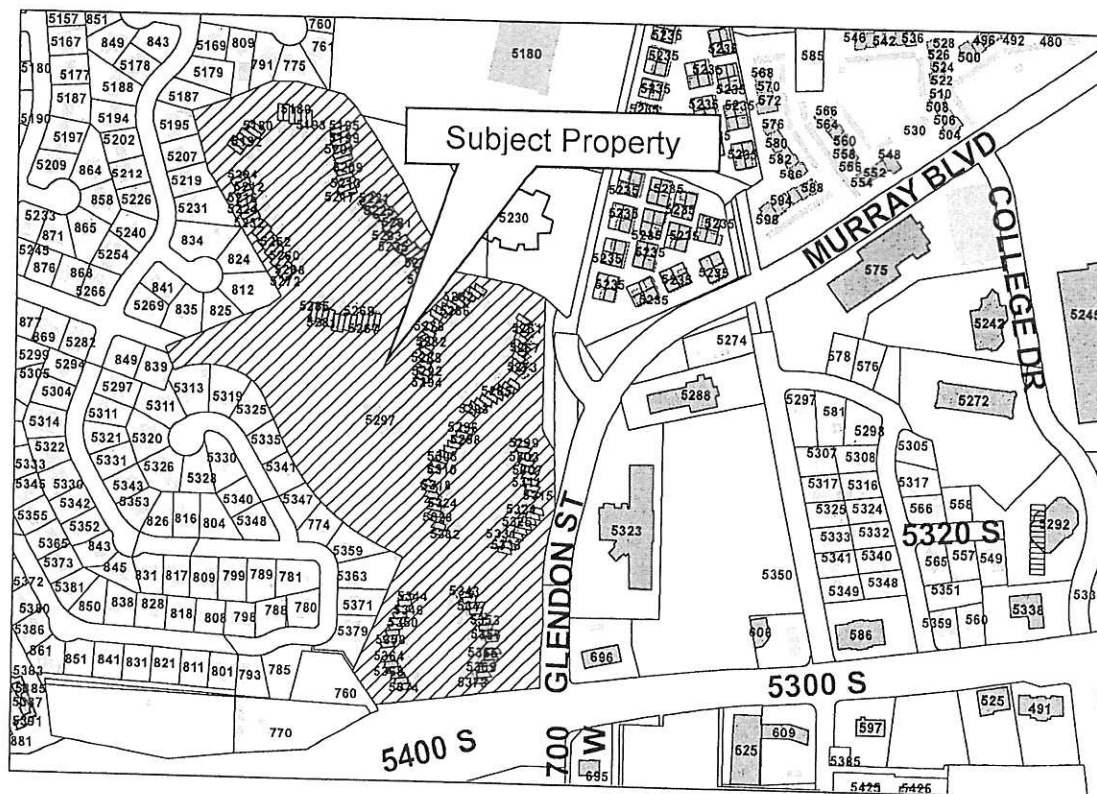
This notice is to inform you of a Planning Commission public hearing scheduled for Thursday, August 02, 2018 at 6:30 p.m., in the Murray City Municipal Council Chambers, located at 5025 S. State Street.

Kyle Lind is requesting a General Plan Amendment to change the future land use designation from low density residential to medium density residential and a Zone Map Amendment from R-1-8, Low Density Residential, to R-M-15, Medium Density Residential for the property addressed 770 West Apple Gate Drive. See the map below.

This notice is being sent to you because you own property within the near vicinity. If you have questions or comments concerning this proposal, please call Zachary Smallwood, with the Murray City Community Development Division at 801-270-2420, or e-mail to zsmallwood@murray.utah.gov.

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

770 West Apple Gate Drive



PROOF OF PUBLICATION CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS

MURRAY CITY RECORDER,

5025 S STATE, ROOM 113

MURRAY, UT 84107

ACCOUNT NUMBER

9001341938

DATE

7/23/2018

ACCOUNT NAME

MURRAY CITY RECORDER,

TELEPHONE

8012642660

ORDER # / INVOICE NUMBER

0001216915 /

PUBLICATION SCHEDULE

START 07/22/2018 END 07/22/2018

CUSTOMER REFERENCE NUMBER

Apple Gate Legal Ad

CAPTION

MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY G

SIZE

35 LINES 1 COLUMN(S)

TIMES

3

TOTAL COST

63.80

MURRAY CITY
CORPORATION
NOTICE OF
PUBLIC HEARING
NOTICE IS HEREBY GIVEN
that on the 2nd day of
August, 2018, at the hour
of 6:30 p.m. of said day
in the Council Chambers of
Murray City Center, 5025
South State Street, Mur-
ray, Utah, the Murray City
Planning Commission will
hold and conduct a Public
Hearing for the purpose
of receiving public com-
ment on and pertaining to
General Plan Amendment
from Low Density Residen-
tial to Medium Density
Residential and a Zone
Map Amendment from R-
1-8 to R-M-15 for the
Applegate Condominium
properties located at ap-
proximately: 770 West
Apple Gate Drive, Murray
City, Salt Lake County,
State of Utah.
Jared Hall, Supervisor
Community & Economic
Development
1216915 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED
ADVERTISEMENT OF MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that on the 2nd
day of August, 2018, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025
South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public
Hearing for the purpose of receiving public comment on and pertaining to General Plan Amendment from
Low Density Residential to Medium Density Residential and a Zone Map Amendment from R-1-8 to R-M-15
for the Applegate Condominium properties located at approximately: 770 West Apple Gate Drive, Murray
City, Salt Lake County, State of Utah. WAS PUBLISHED BY THE
NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY
NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY,
SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST
NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL
SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 07/22/2018 End 07/22/2018

DATE 7/23/2018

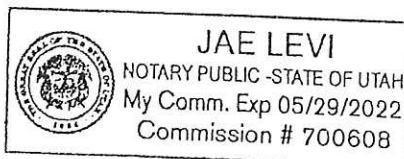
SIGNATURE

STATE OF UTAH)

COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 22ND DAY OF JULY IN THE YEAR 2018

BY LORAIN GUDMUNDSON.



Jae Levi
NOTARY PUBLIC SIGNATURE

Application Materials

GENERAL PLAN AMENDMENT APPLICATION

Type of Application (check all that apply):

☐ Text Amendment

☒ Map Amendment

Subject Property Address: 5297 S 800 W

Parcel Identification (Sidwell) Number: SEE ADDENDUM

Parcel Area: ~ 23.5 Acres Current Use: MEDIUM DENSITY TOWNHOUSES

Land Use Designation: R-1-8 Proposed Designation: R-M-15

Applicant Name: Kyle Lind, Applegate HOA

Mailing Address: PO Box 802

City, State, ZIP: Draper UT 84020

Daytime Phone #: (801) 285-9800 Fax #: N/A

Email Address: CORECOMMUNITYMANAGEMENT@GMAIL.COM

Business Name (If applicable): Applegate HOA

Property Owner's Name (If different): HOA PRESIDENT - KYLE LIND

Property Owner's Mailing Address: PO Box 802

City, State, Zip: Draper UT 84020

Daytime Phone #: 801-560-8552 Fax #: N/A

Describe your request in detail (use additional page if necessary):

OUR ZONE IS NOT CONSISTENT WITH OUR
USE. OUR COMMUNITY IS A MEDIUM-DENSITY
TOWNHOUSE COMMUNITY AND WE NEED THAT ZONING.

Authorized Signature: [Signature] Date: 7/12/2018

Property Owners Affidavit

I (we) Lesley Kyle Lind, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

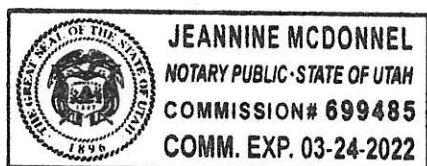
[Signature]
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah

County of Salt Lake §

Subscribed and sworn to before me this 12th day of July, 2018.



[Signature]
Notary Public
Residing in Salt Lake
My commission expires: 3/24/2022

Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Murray City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Owner's Signature (co-owner if any)

State of Utah

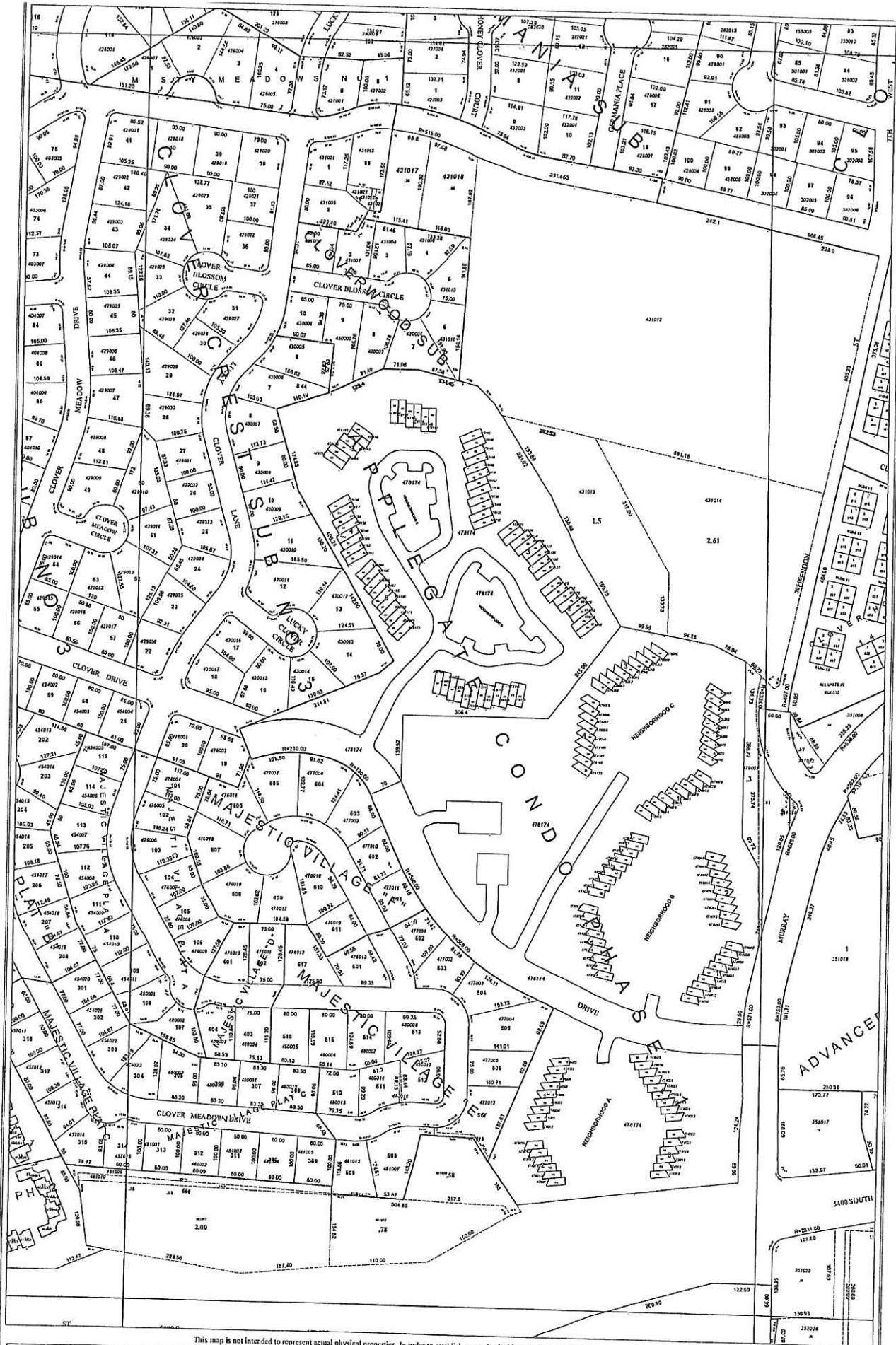
County of Salt Lake §

On the _____ day of _____, 20____, personally appeared before me _____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary public
Residing in _____
My commission expires: _____

Beginning at a point North 284.86 feet and West 30.04 feet from the Southeast Corner of Section 11, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence $S82^{\circ}23'W$ 474.04 feet; thence $N34^{\circ}21'W$ 127.89 feet; thence $N22^{\circ}00'E$ 347.21 feet; thence $N65^{\circ}00'W$ 67.60 feet to a point of a 500.0 foot radius curve to the right; thence Northwesterly along the arc of said curve 390.95 feet to the point of tangency; thence $N25^{\circ}00'W$ 150.00 feet; thence $N65^{\circ}00'E$ 70.00 feet; thence North 139.52 feet; thence East 306.40 feet; thence $N37^{\circ}00'E$ 243.00 feet to a point on the Easterly and Northwesterly bank of a drain ditch; thence $S80^{\circ}21'40"E$ along said bank 194.14 feet; thence $S64^{\circ}34'E$ along said bank 78.94 feet; thence South 366.87 feet; thence $S31^{\circ}00'E$ 69.72 feet to the West line of a Murray City road; thence along said West line as follows $S1^{\circ}23'54"E$ 127.84 feet to a point of a 500.00 foot radius curve to the right; thence Southerly along the arc of said curve 118.995 feet to a point of a reverse curve to the left; the radius point of which is $S77^{\circ}45'45"E$ 566.00 feet; thence Southerly along the arc of said curve 128.42 feet to the point of tangency thence $S0^{\circ}45'45"E$ 285.725 feet to the point of beginning. Contains 15.023 Acres.

Beginning at a point North 1121.91 feet and West 765.38 feet from the Southeast Corner of Section 11 Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence $S 65^{\circ} 00' W$ 70.00 feet to a point of a curve feet; thence Northwesterly along the arc of said curve 90.76 feet to a point of a compound curve to the left, the radius point of which is $S 25^{\circ} 00' W$ 230.00 feet; thence Westerly along the arc of said compound curve 193.11 feet; thence $N 23^{\circ} 06' 27'' W$ 70.00 feet; thence $N 66^{\circ} 53' 33'' E$ 314.94 feet; thence $N 50^{\circ} 00' E$ 41.585 feet; thence $N 31^{\circ} 00' W$ 406.24 feet; thence $N 16^{\circ} 30' W$ 174.85 feet; thence $N 71^{\circ} 43' 10'' E$ 110.185 feet; thence $N 65^{\circ} 13' E$ 129.40 feet; thence $N 89^{\circ} 47' 45'' E$ 71.08 feet; thence $S 76^{\circ} 17' 10'' E$ 134.45 feet; thence $S 45^{\circ} 06' 45'' E$ 50.45 feet; thence $S 33^{\circ} 05' 30'' E$ 221.02 feet; thence $S 27^{\circ} 05' 15'' E$ 138.86 feet; thence $S 31^{\circ} 37' 40'' E$ 169.79 feet; thence $S 37^{\circ} 00' W$ 245.00 feet thence West 306.40 feet; thence South 139.52 feet to the point of beginning. Contains 8.649 ACRES



This map is not intended to represent actual physical properties. In order to establish exact physical boundaries a survey of the property may be necessary.



Prepared and published by
Salt Lake County Recorder
Gary L. Hill
2001 S. State Street #1000
Salt Lake City, Utah 84109
801-468-3391
http://www.saltlakecountyrecorder.com



E 1/2 SE 1/4 Sec 11 T2S R1W
SALT LAKE COUNTY, UTAH

3/27/2015

Scale 1"=100'
100' 200'
Feet

21-11-42

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Susan Nixon

Subject: FW: Zone map amendment

From: Aimee Orgill <aimeelynn73@gmail.com>
Sent: Monday, July 23, 2018 1:07 PM
To: Zachary Smallwood <zsmallwood@murray.utah.gov>
Subject: Zone map amendment

I live at 5272 S Gravenstein Park in Applegate Condo's and strongly object to the zoning change of the property addressed 770 West Apple Gate Drive. I think it would decrease the value of the already existing condo's. I don't think it's beneficial to the already existing condo homeowners and I think that the person's involved in the rezoning of the property so they can build more condo's are taking advantage of the homeowners.

Thank you

Aimee Orgill



**MURRAY CITY CORPORATION
ADMINISTRATIVE &
DEVELOPMENT SERVICES**

B. Tim Tingey, Director

Building Division
Community & Economic Development
Geographic Information Systems

Information Technology
Recorder Division
Treasurer Division

TO: Murray City Planning Commission

FROM: Murray City Community & Economic Development Staff

DATE OF REPORT: July 27, 2018

DATE OF HEARING: August 2, 2018

PROJECT NAME: Applegate, Zone Change

PROJECT NUMBER: 18-94

PROJECT TYPE: Zone Map Amendment

APPLICANT: Kyle Lind, Applegate Homeowner's Association

PROPERTY ADDRESS: 770 West Apple Gate Drive

SIDWELL #: 21-11-478-174

EXISTING ZONE: R-1-8, Residential

PROPOSED ZONE: R-M-15, Medium Density Multiple Family

PROPERTY SIZE: 23.5 acres

I. REQUEST:

The applicant, Kyle Lind, is requesting approval of a Zone Map Amendment from R-1-8, Low Density single family to R-M-15, Medium Density multiple family for the property addressed 770 West Apple Gate Drive. The rezoning is intended to apply to the entire Applegate Condominium property, which is 23.5 acres. Legal descriptions of the property are attached to this report.

II. BACKGROUND AND ANALYSIS

Background

The Applegate Condominium development was approved in the 1970s as a multi-family development in the R-2A zone. The process in the R-2A zone allowed the density and housing type (attached condominiums) as permitted

uses. The R-2A zone was eventually replaced with the R-1-8 designation. Representatives of the Applegate Condominiums HOA hope to rezone the property to R-M-15, which would bring the development into conformance with the current zoning ordinance.

The Applegate Condominiums HOA is interested in a possible subdivision of the property. This would allow for the sale of a portion of their land for further development in order to generate revenues needed for property maintenance and improvements. There are multiple factors to be considered in association with further subdivision and development of an existing condominium complex like the Applegate Condominiums; however, the request to amend the Zoning Map in order to bring the property into compliance should be considered independently of the potential subdivision and development of the property.

Site Location/Detail

The Applegate Condominiums are located near the northwest corner of 5300 South and 700 West. The development contains 172 units on 23.5 acres of land.

Surrounding Land Use & Zoning

| <u>Direction</u> | <u>Land Use</u> | <u>Zoning</u> |
|------------------|-----------------------------|---------------|
| North | Residential, Public | R-1-8 |
| South | Residential | R-1-8 |
| East | Retail, Healthcare Facility | C-N |
| West | Residential | R-1-8 |

Allowed Land Uses

Existing

The R-1-8 zone allows single family, detached homes with minimum lot sizes of 8,000 square feet. This zone also allows accessory uses which are typical to single family homes, as well as public and quasi-public uses with conditional use permits.

Proposed

The R-M-15 zone allows a mix of housing types including single family detached homes and multi-family units such as apartments, condominiums and townhouses with densities up to 15 dwelling units per acre. This zone also allows accessory uses which are typical for single and multi-family residential development, as well as public and quasi-public uses with conditional use permits.

III. PUBLIC INPUT

As of the date of this report, staff has received an email and several phone calls in opposition to the proposed Zone Map Amendment. The email has been attached to this report.

IV. GENERAL PLAN ANALYSIS

The purpose of the General Plan is to provide overall goal and policy guidance related to planning issues in the community. The plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Chapter 5 of the Murray City General Plan identifies the goals and objectives for land use in the community. The plan also identifies future land use as depicted in the future land use map.

The subject property is identified as "Low Density Residential" by the General Plan and the Future Land Use Map. Finding that the subject property is a stable, existing multi-family development that is non-conforming to the existing zone and land use designation, Community Development Staff has recommended an amendment to the Future Land Use Map that would support changing the zoning of the property. The proposed R-M-15 zoning would bring the subject property into conformance, and is compatible with the current development pattern of the area, and is in keeping with the goals and objectives of the General Plan.

V. FINDINGS

A. Is there need for change in the Zoning at the subject location for the neighborhood or community?

The subject property is within an established neighborhood. It is an existing multi-family community that is nonconforming to the R-1-8 zoning in which it is located.

Chapter three (3) of the Murray City General Plan calls for reinvestment in stable communities to maintain property values. The proposed change in zoning will create opportunities for the Applegate Condominiums to reinvest in the property.

B. If approved, how would the range of uses allowed by the Zoning Ordinance blend with surrounding uses?

The Applegate Condominiums are an existing, multi-family residential development. There are several other multi-family developments in the surrounding area, as well as single family neighborhoods, retail, and public land uses. The existing use is, and will continue to be, in harmony with the surrounding uses..

C. What utilities, public services, and facilities are available at the proposed location? What are or will be the probable effects the variety of uses may have on such services?

Utilities, public services and facilities are already provided within the existing development. Staff does not anticipate any adverse effects on these services as a result of the change of zoning from R-1-8, to R-M-15.

VI. CONCLUSION & FINDINGS

- i. Although the General Plan identifies the subject property as low density residential, the existing, established land uses correspond to the medium density residential designation which supports the proposed R-M-15 zone.
- ii. The General Plan allows for flexibility to maintain existing and stable neighborhoods.
- iii. The requested zone change has been carefully considered based on the characteristics of the site and surrounding area, and on the policies and objectives of the 2017 Murray City General Plan.
- iv. The proposed Zone Map Amendment from R-1-8 to R-M-15 is supported by policies of the General Plan for housing and re-investment in stable neighborhoods.

VII. STAFF RECOMMENDATION

Based on the above findings, staff recommends that the Planning Commission **forward a recommendation of approval to the City Council for the requested Zone Map Amendment for the property located at 770 West Apple Gate Drive from R-1-8 to R-M-15.**

Zachary Smallwood, Associate Planner
Community & Economic Development
801-270-2420
zsmallwood@murray.utah.gov

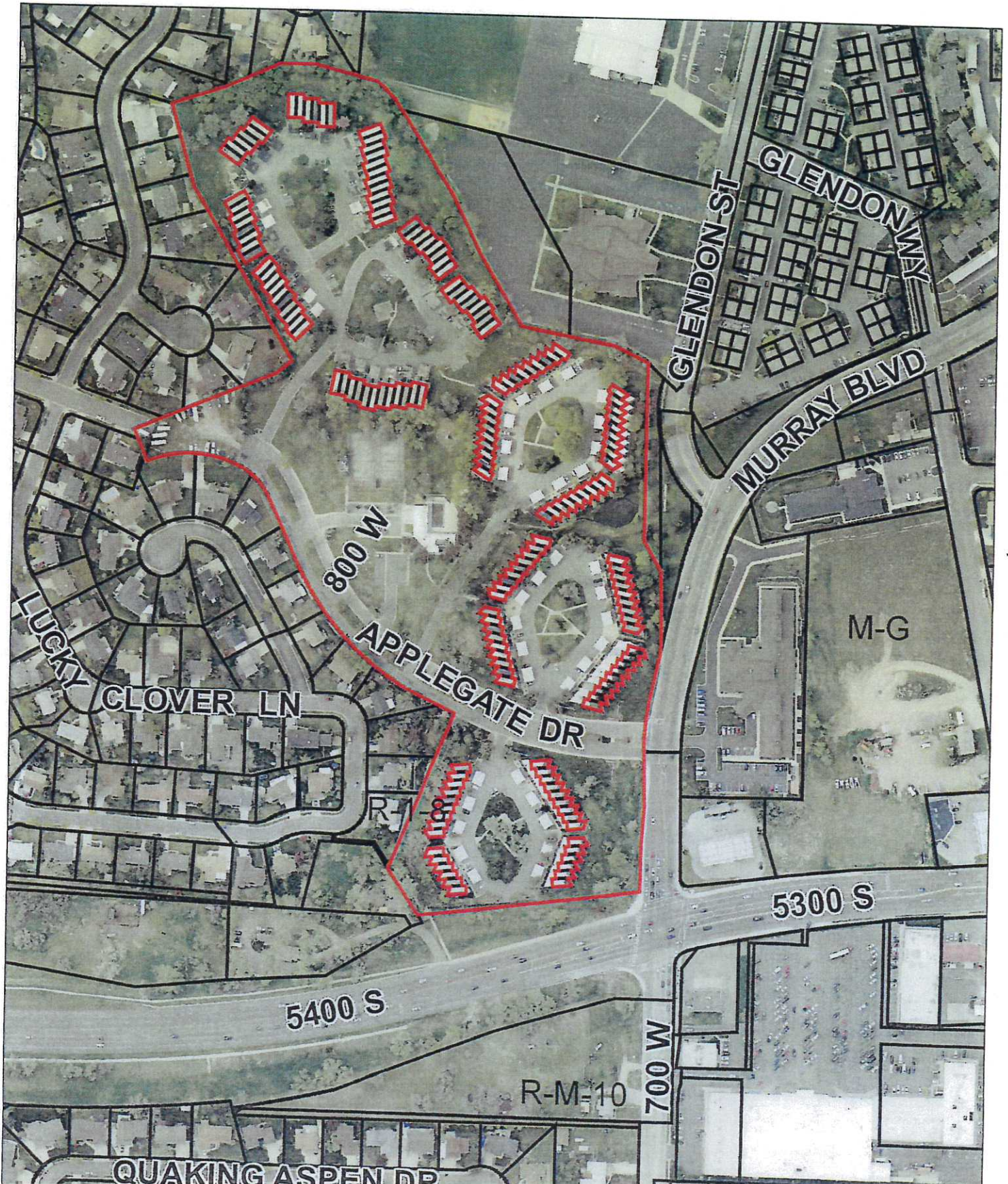
Site Information



770 West Apple Gate Way



MURRAY
ADMINISTRATIVE &
DEVELOPMENT SERVICES





MURRAY CITY CORPORATION
ADMINISTRATIVE &
DEVELOPMENT SERVICES

Building Division 801-270-2400

Community & Economic Development 801-270-2420

Geographic Information Systems 801-270-2460

July 19, 2018

NOTICE OF PUBLIC MEETING

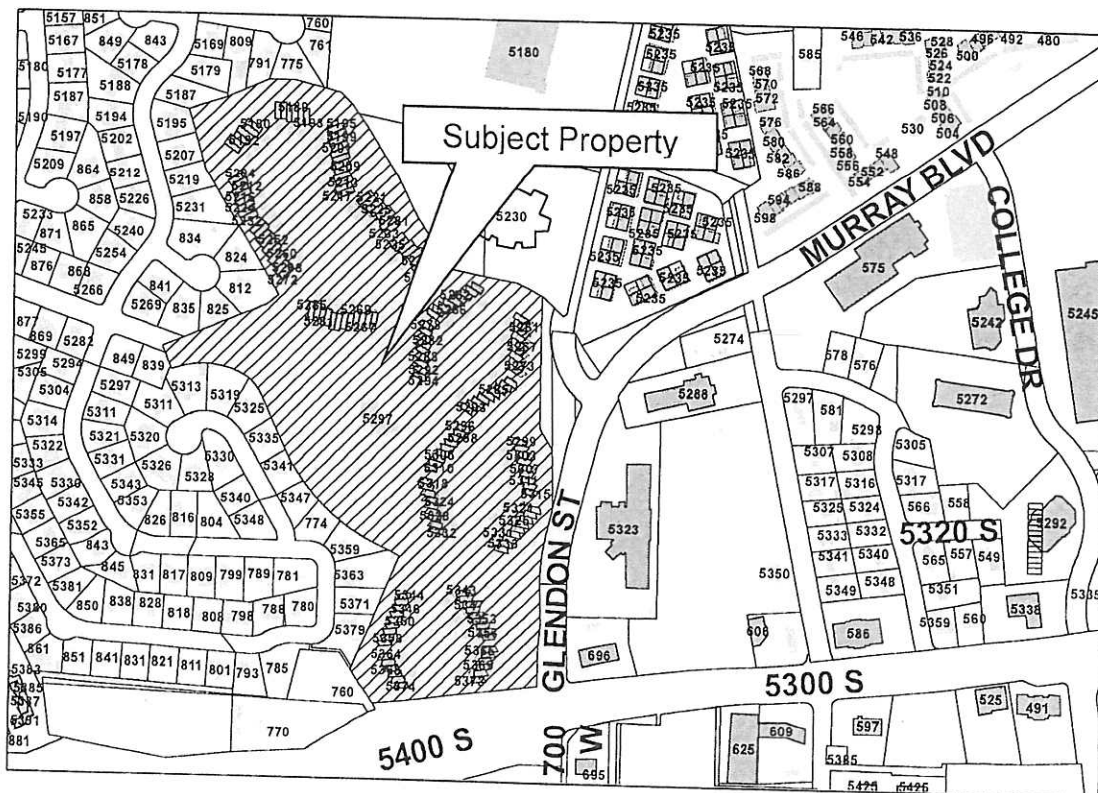
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770 West Apple Gate Drive



WEST VALLEY CITY, UTAH 84118
FED.TAX I.D.# 87-0217663
801-204-6910

Deseret News



The Salt Lake Tribune

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CUSTOMER NAME AND ADDRESS

MURRAY CITY RECORDER,

5025 S STATE, ROOM 113

MURRAY, UT 84107

ACCOUNT NUMBER

9001341938

DATE

7/23/2018

ACCOUNT NAME

MURRAY CITY RECORDER,

TELEPHONE

8012642660

ORDER # / INVOICE NUMBER

0001216915 /

PUBLICATION SCHEDULE

START 07/22/2018 END 07/22/2018

CUSTOMER REFERENCE NUMBER

Apple Gate Legal Ad

CAPTION

MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY G

SIZE

35 LINES

1 COLUMN(S)

TIMES

3

TOTAL COST

63.80

FILE COPY

MURRAY CITY CORPORATION
NOTICE OF
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 2nd day of August, 2018, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to General Plan Amendment from Low Density Residential to Medium Density Residential and a Zone Map Amendment from R-1-8 to R-M-15 for the Applegate Condominium properties located at approximately: 770 West Apple Gate Drive, Murray City, Salt Lake County, State of Utah.

Jared Hall, Supervisor
Community & Economic
Development
1216915 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that on the 2nd day of August, 2018, at the hour of 6:30 p.m. of said day in the Council FOR MURRAY CITY RECORDER, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 07/22/2018 End 07/22/2018

DATE 7/23/2018

SIGNATURE

STATE OF UTAH)

COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 22ND DAY OF JULY IN THE YEAR 2018

BY LORAIN GUDMUNDSON.



JAE LEVI
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp 05/29/2022
Commission # 700608

NOTARY PUBLIC SIGNATURE

Application Materials

#18-94

ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

- ☒ Zoning Map Amendment
☐ Text Amendment
☐ Complies with General Plan
☐ Yes ☒ No

Subject Property Address: 5297 S 800W

Parcel Identification (Sidwell) Number: SEE ADDENDUM

Parcel Area: ~ 23.5 Acres Current Use: MEDIUM DENSITY TOWN HOUSES

Existing Zone: R-1-8 Proposed Zone: R-M-15

Applicant Name: Kyle Lind, Applegate HOA

Mailing Address: PO BOX 802

City, State, ZIP: Draper UT 84020

Daytime Phone #: (801) 285-9800 Fax #: N/A

Email address: CORE COMMUNITY MANAGEMENT@GMAIL.COM

Business Name (If applicable): Applegate HOA

Property Owner's Name (If different): HOA PRESIDENT - KYLE LIND

Property Owner's Mailing Address: PO BOX 802

City, State, Zip: Draper UT 84020

Daytime Phone #: (801) 560-8552 Fax #: N/A

Describe your reasons for a zone change (use additional page if necessary):

OUR ZONE IS NOT CONSISTENT WITH OUR
USE. OUR COMMUNITY IS A MEDIUM-DENSITY
TOWNHOUSE COMMUNITY AND WE NEED THAT ZONING.

Authorized Signature: [Signature] Date: 7/18/2018

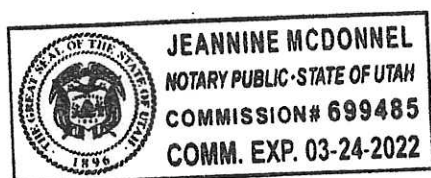
Property Owners Affidavit

I (we) Kyle Lind, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

[Signature]
Owner's Signature

Owner's Signature (co-owner if any)

Subscribed and sworn to before me this 12 day of July, 20 18 or.



[Signature]
Notary Public
Residing in Salt Lake
My commission expires: 3/24/2022

Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Murray City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Owner's Signature (co-owner if any)

On the _____ day of _____, 20 _____, personally appeared before me

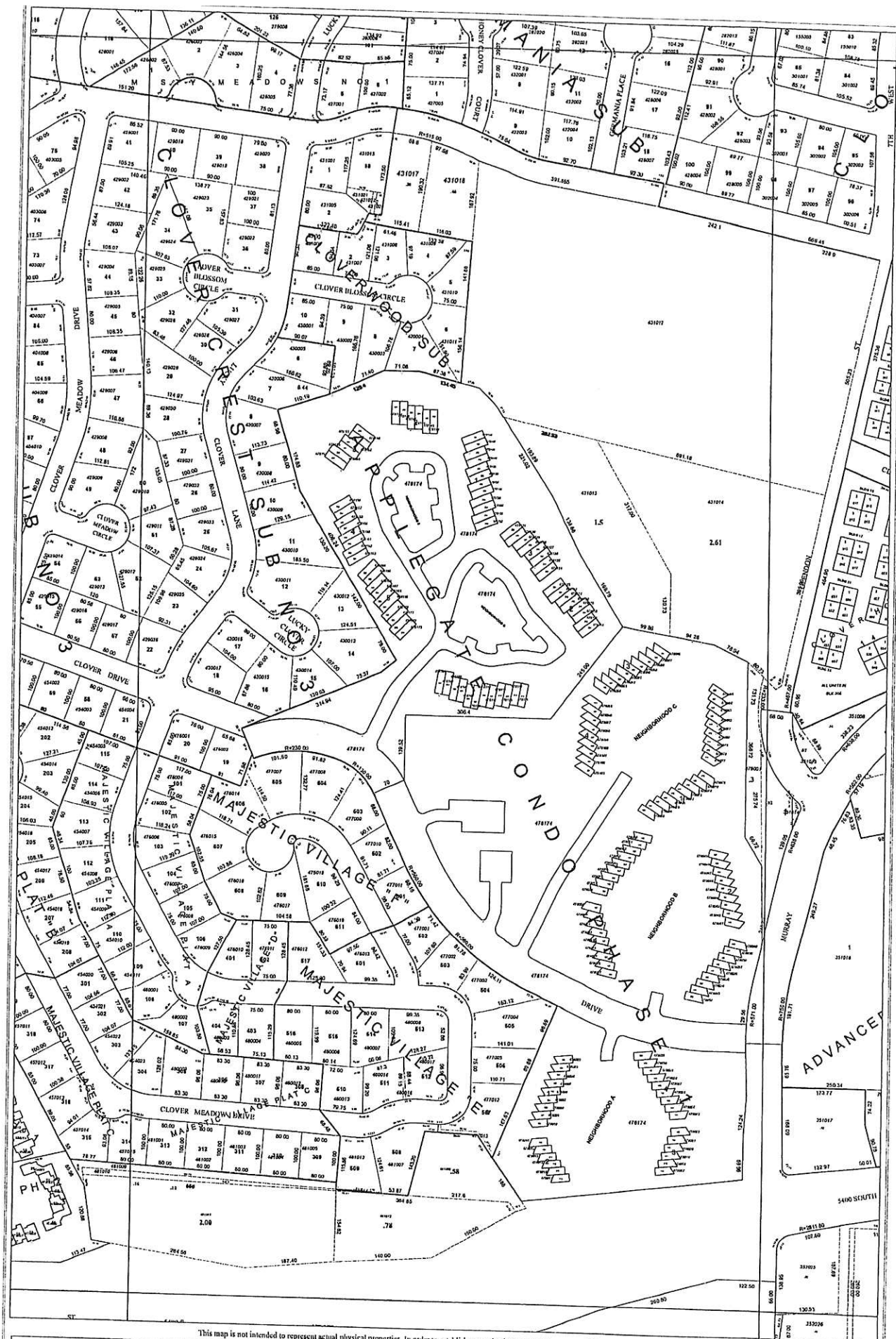
_____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary Public
Residing in _____

My commission expires: _____

Beginning at a point North 284.86 feet and West 30.04 feet from the Southeast Corner of Section 11, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence $S82^{\circ}23'W$ 474.04 feet; thence $N34^{\circ}21'W$ 167.89 feet; thence $N22^{\circ}00'E$ 347.21 feet; thence $N65^{\circ}00'W$ 67.60 feet to a point of a 560.0 foot radius curve to the right; thence Northwesterly along the arc of said curve 390.95 feet to the point of tangency; thence $N25^{\circ}00'W$ 150.00 feet; thence $N65^{\circ}00'E$ 70.00 feet; thence North 139.52 feet; thence East 306.40 feet; thence $N37^{\circ}00'E$ 245.00 feet to a point on the Easterly and North erly bank of a drain ditch; thence $S80^{\circ}21'40"E$ along said bank 194.14 feet; thence $S64^{\circ}34'E$ along said bank 78.94 feet; thence South 366.87 feet; thence $S31^{\circ}00'E$ 69.72 feet to the West line of a Murray City road; thence along said west line as follows $S1^{\circ}23'54"E$ 127.84 feet to a point of a 500.00 foot radius curve to the right; thence Southerly along the arc of said curve 118.995 feet to a point of a reverse curve to the left; the radius point of which is $S77^{\circ}45'45"E$ 566.00 feet; thence Southerly along the arc of said curve 128.42 feet to the point of tangency thence $S0^{\circ}45'45"E$ 285.725 feet to the point of beginning. Contains 15.023 Acres.

Beginning at a point North 1101.91 feet and West 765.38 feet from the Southeast Corner of Section 11 Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence $S 65^{\circ} 00' W$ 70.00 feet to a point of a curve feet; thence Northwesterly along the arc of said curve 90.76 feet to a point of a compound curve to the left, the radius point of which is $S 25^{\circ} 00' W$ 230.00 feet; thence westerly along the arc of said compound curve 193.11 feet; thence $N 23^{\circ} 06' 27'' W$ 70.00 feet; thence $N 66^{\circ} 53' 33'' E$ 314.94 feet; thence $N 50^{\circ} 00' E$ 41.585 feet; thence $N 31^{\circ} 00' W$ 406.24 feet; thence $N 16^{\circ} 30' W$ 174.85 feet; thence $N 71^{\circ} 43' 10'' E$ 110.185 feet; thence $N 65^{\circ} 13' E$ 129.40 feet; thence $N 89^{\circ} 47' 45'' E$ 71.08 feet; thence $S 76^{\circ} 17' 10'' E$ 134.45 feet; thence $S 45^{\circ} 06' 45'' E$ 50.45 feet; thence $S 33^{\circ} 05' 30'' E$ 221.02 feet; thence $S 27^{\circ} 05' 15'' E$ 138.86 feet; thence $S 31^{\circ} 37' 40'' E$ 169.79 feet; thence $S 37^{\circ} 00' W$ 245.00 feet; thence West 306.40 feet; thence South 139.52 feet to the point of beginning. Contains 8.649 ACRES



Susan Nixon

Subject: FW: Zone map amendment

From: Aimee Orgill <aimeelynn73@gmail.com>

Sent: Monday, July 23, 2018 1:07 PM

To: Zachary Smallwood <zsmallwood@murray.utah.gov>

Subject: Zone map amendment

I live at 5272 S Gravenstein Park in Applegate Condo's and strongly object to the zoning change of the property addressed 770 West Apple Gate Drive. I think it would decrease the value of the already existing condo's. I don't think it's beneficial to the already existing condo homeowners and I think that the person's involved in the rezoning of the property so they can build more condo's are taking advantage of the homeowners.

Thank you

Aimee Orgill

APPLEGATE CONDO OWNERS
P/C 8/2/18
G P & Rezone
Project #18-93 & 18-94

ABERNATHY, JAMES M &
FORD, CHASSE T; JT
5279 S GRAVENSTEIN PARK
MURRAY UT 84123

ADAMS, ALONZO &
HIROKO; JT
5208 S GRAVENSTEIN PARK
MURRAY UT 84123

ADAMS, TESSA D; ADAMS, STEVEN R
5291 S ROME BEAUTY PARK
MURRAY UT 84123

ALDER, CHRISTOPHER
5192 S GRAVENSTEIN PARK
MURRAY UT 84123

ALEXANDER, MARSHA G; JT
LOPEZ, ERIKA; JT
5854 S UTAHNA DR
MURRAY UT 84107

ALFARO, IVAN
5196 S GRAVENSTEIN PARK
MURRAY UT 84123

ALLEN, TRENT W &
WHITNEY JO; JT
5228 S GRAVENSTEIN PARK
MURRAY UT 84123

AVERETT, JOAN M
5299 S BEN DAVIS PARK
MURRAY UT 84123

BAIN, BRUCE
5245 S GRAVENSTEIN PARK
MURRAY UT 84123

BANKHEAD, CAMILLE J
5284 S ROME BEAUTY PARK
MURRAY UT 84123

BATEMAN, VICKIE G
5216 S GRAVENSTEIN PARK
MURRAY UT 84123

BENNETT, KATHLEEN L
PO BOX 9644
MURRAY UT 84109

BERBEROVIC, ERMINA
5268 S ROME BEAUTY PARK
MURRAY UT 84123

BETOF, NURI
5271 S ROME BEAUTY PARK
MURRAY UT 84123

BITTON, KATHERINE M
5324 S BEN DAVIS PARK
MURRAY UT 84123

BOOTH, MARK R
595 W WINCHESTER ST
MURRAY UT 84123

BOYLES, PAMELA V; TR
5289 S ROME BEAUTY PARK
MURRAY UT 84123

BRANDON, CYNTHIA
5300 S BEN DAVIS PARK
MURRAY UT 84123

BROWN, ASHLEE N
5265 S ROME BEAUTY PARK
MURRAY UT 84123

BULLOCK, BRADLEY
5180 S GRAVENSTEIN PARK
MURRAY UT 84123

BURKE, CAROLYN A
5265 S GRAVENSTEIN PARK
MURRAY UT 84123

CAMERON, AUBREY L
5213 S GRAVENSTEIN PARK
MURRAY UT 84123

CAMERON, JUSTIN
5356 S BALDWIN PARK
MURRAY UT 84123

CARILLON SQUARE I, LC
2415 E NEFFS LN
SALT LAKE CITY UT 84109

CHILCUTT, NORMA
5311 S BEN DAVIS PARK
MURRAY UT 84123

CHINA PROPERTY MANAGEMENT, LLC
5263 S GRAVENSTEIN PARK
MURRAY UT 84123

CHRISTENSEN, LINDA G; TC ET AL
5209 S GRAVENSTEIN PARK
MURRAY UT 84123

CHRISTIENSEN, KATILELIA J
5352 S BALDWIN PARK
MURRAY UT 84123

CISZ, LOUIS J, JR
5204 S GRAVENSTEIN PARK
MURRAY UT 84123

| | | |
|--|---|---|
| CLARK, JEAN M 5248 S GRAVENSTEIN PARK MURRAY UT 84123 | CLARK, ROBERT & MELISSA; JT 5258 S ROME BEAUTY PARK MURRAY UT 84123 | CLAYTON, CRAIG 3473 W 10305 S SOUTH JORDAN UT 84095 |
| CLOE, JEAN M 5268 S GRAVENSTEIN PARK MURRAY UT 84123 | COLOMBEL, CECILA 5203 S GRAVENSTEIN PARK MURRAY UT 84123 | COOK, ROBERT L & VERA; JT 5279 S ROME BEAUTY PARK MURRAY UT 84123 |
| CRAIG, BRUCE L 5365 S BALDWIN PARK MURRAY UT 84123 | DOMINGUEZ, MAYRA 5281 S ROME BEAUTY PARK MURRAY UT 84123 | ERB, CHANTELE 5303 S BEN DAVIS PARK MURRAY UT 84123 |
| EWELL, NICKI L 5358 S BALDWIN PARK MURRAY UT 84123 | FARRAR, BRIAN R 5330 S BEN DAVIS PARK MURRAY UT 84123 | FESKO, DEBRA O 5237 S GRAVENSTEIN PARK MURRAY UT 84123 |
| FLEENOR, TYCIA L 5282 S ROME BEAUTY PARK MURRAY UT 84123 | FOSTER, CHRISTOPHER 5270 S ROME BEAUTY PARK MURRAY UT 84123 | FOUR ELEMENTS MURRAY, LLC 4765 N 400 W PARK CITY UT 84098 |
| FRANTZ, CODY D 5264 S GRAVENSTEIN PARK MURRAY UT 84123 | FRAZIER, AMBER J 164 N 3425 W LAYTON UT 84041 | FREDERICKSON, GARY & VIRGINIA; JT 8003 S ROYAL LN COTTONWOOD HTS UT 84093 |
| FRISBY, JIMMY D & JUANNA F; TRS 2781 S RIO VISTA DR ST GEORGE UT 84790 | FROISLAND, NOAH 5335 S BEN DAVIS PARK MURRAY UT 84123 | GIAUQUE, LAURIE 5235 S GRAVENSTEIN PARK MURRAY UT 84123 |
| GONZALEZ, ANNETTE L 5293 S ROME BEAUTY PARK MURRAY UT 84123 | GRIFFITHS, CRYSTAL D; ET AL 5372 S BALDWIN PARK MURRAY UT 84123 | HALE, CURTIS G 5327 S BEN DAVIS PARK MURRAY UT 84123 |
| HALL, DORIS D A; TR (DDAH) 5355 S BALDWIN PARK MURRAY UT 84123 | HANSEN, ALTA K 5306 S BEN DAVIS PARK MURRAY UT 84123 | HANSEN, KASEY J 5275 S GRAVENSTEIN PARK MURRAY UT 84123 |
| HANSEN, MARJORIE A 5256 S ROME BEAUTY PARK MURRAY UT 84123 | HARDY, JENNIFER 5243 S GRAVENSTEIN PARK MURRAY UT 84123 | HARRIS, LAUREEN R 5316 S BEN DAVIS PARK MURRAY UT 84123 |

HEIMBIGNER, JANET
5374 S BALDWIN PARK # 114
MURRAY UT 84123

HENSLEY, SEAN M
5325 S BEN DAVIS PARK
MURRAY UT 84123

HICKS, KYLE L
5249 S GRAVENSTEIN PARK
MURRAY UT 84123

HIGHAM, ALEXANDRA NICOLE
5264 S ROME BEAUTY PARK
MURRAY UT 84123

HOBSON, LOUIS E
5244 S GRAVENSTEIN PARK
MURRAY UT 84123

HOFFMAN, LISA
HILLS, LORI C
5207 S GRAVENSTEIN PARK
MURRAY UT 84123

HOHLER, THOMAS W; JT
HOHLER, NANCY M; JT
5191 S GRAVENSTEIN PARK
MURRAY UT 84123

HUFF, STANLEY M & MARIA H; TRS
(SMH&MHH J REV TR)
812 W LUCKY CLOVER CIR
MURRAY UT 84123

HUNT, LAWNY R
PO BOX 431
SPRING CITY UT 84662

HUNTER, DANIEL J
5332 S BEN DAVIS PARK
MURRAY UT 84123

IVEY, CHRISTINE
HC 65 BOX 17
ALTAMONT UT 84001

JONES, KATHRYN
5193 S GRAVENSTEIN PARK
MURRAY UT 84123

JORGENSEN, LOUISE M; TR
5371 S BALDWIN PARK
MURRAY UT 84123

KEETH, KATHLEEN M
5307 S BEN DAVIS PARK
MURRAY UT 84123

KILLINGER, KAREN G
1159 GARRATY RD # 5
SAN ANTONIO TX 78209

KIRK, NANCY M
5350 S BALDWIN PARK
MURRAY UT 84123

KIRK, ROBERTA L
5294 S ROME BEAUTY PARK
MURRAY UT 84123

KITT, KORY
5283 S ROME BEAUTY PARK
MURRAY UT 84123

KNUDSEN, BRYAN
5260 S GRAVENSTEIN PARK
MURRAY UT 84123

KNUTESON, KIMBERLEE G
5331 S BEN DAVIS PARK
MURRAY UT 84123

LAMBERT, JOHN C & BRYNN A; JT
5241 S GRAVENSTEIN PARK
MURRAY UT 84123

LEIGH, ROBERT M; JT
LEIGH, SPENCER; JT
5285 S GRAVENSTEIN PARK
MURRAY UT 84123

LENHART, AARON J
5195 S GRAVENSTEIN PARK
MURRAY UT 84123

LEONCINI, CONNER
5304 S BEN DAVIS PARK
MURRAY UT 84123

LIDDELL, THERON
5189 S GRAVENSTEIN PARK
MURRAY UT 84123

LIVINGSTON, TAMI
5261 S ROME BEAUTY PARK
MURRAY UT 84123

LUNA, COLTON C
5308 S BEN DAVIS PARK
MURRAY UT 84123

LUNDGREN, SHAWN L
334 E EAGLEBROOK DR
SANDY UT 84070

MAIO, LESLIE
824 W LUCKY CLOVER CIR
MURRAY UT 84123

MANOOKIN, CHAD R
5200 S GRAVENSTEIN PARK
MURRAY UT 84123

| | | |
|---|--|--|
| MCDANIEL, RYAN 5184 S GRAVENSTEIN PARK MURRAY UT 84123 | MCFADDEN, MIRIAM K 1369 E RAINSBOROUGH RD SALT LAKE CITY UT 84121 | MCGINN, KAREN M W; TR (KMWM REV LIV TR) 1434 W STERN DR TAYLORSVILLE UT 84123 |
| MCMULLIN, EVAN; TR (JMB PROPERTY TR) 5333 S BEN DAVIS PARK MURRAY UT 84123 | MONTOYA, MICHAEL 5371 S LUCKY CLOVER LN MURRAY UT 84123 | MURRAY, LILLIS D 5287 S ROME BEAUTY PARK MURRAY UT 84123 |
| NELSON, TINA D; ET AL 2490 W 10950 S SOUTH JORDAN UT 84095 | NICHOLLS, JUANITA M 5369 S BALDWIN PARK MURRAY UT 84123 | NICHOLS, BRANDON L & HOPE E; JT 5318 S BEN DAVIS PARK MURRAY UT 84123 |
| NIELSEN, PAULINE P 5290 S ROME BEAUTY PARK MURRAY UT 84123 | NIEVES, ANDREW; JT NIEVES, AMANDA; JT 5370 S BALDWIN PARK MURRAY UT 84123 | NORMAN, JAMES C & CHRISTINE C; TC 5368 S BALDWIN PARK MURRAY UT 84123 |
| NOYCE, CALVIN J 5219 S GRAVENSTEIN PARK MURRAY UT 84123 | ORGILL, AIMEE 5272 S GRAVENSTEIN PARK MURRAY UT 84123 | PADILLA, MANUEL D 8401 S KOLB RD UNIT 115 TUCSON AZ 85756 |
| PASQUALE, JOSEPH E 5373 S BALDWIN PARK MURRAY UT 84123 | PEDERSEN, ERIC 5302 S BEN DAVIS PARK MURRAY UT 84123 | PETERSON, ALLEN J; TR (PETERSON LIV TR) 5247 S GRAVENSTEIN PARK MURRAY UT 84123 |
| PHILLIPS, JANET A 5188 S GRAVENSTEIN PARK MURRAY UT 84123 | PHOENIX, JOSEPHINE V; TR (JVP TR) 5351 S BALDWIN PARK MURRAY UT 84123 | POST, JEFFREY 5298 S BEN DAVIS PARK MURRAY UT 84123 |
| POWER, BETH A 5301 S BEN DAVIS PARK MURRAY UT 84123 | PREECE, AMANDA P 5215 S GRAVENSTEIN PARK MURRAY UT 84123 | QUINTANA, JENNIFER 5360 S BALDWIN PARK MURRAY UT 84123 |
| RESTORE UTAH, LLC 1600 S STATE ST SALT LAKE CITY UT 84115 | ROBERTS, LARRY D & WEEKLY, DANIEL J; JT 5328 S BEN DAVIS PARK MURRAY UT 84123 | RODGERS, AARON 5252 S GRAVENSTEIN PARK MURRAY UT 84123 |
| ROMERO, KASSANDRA T 101 N COVE DR CEDAR CITY UT 84720 | SAUNDERS, BARBARA M; ET AL 5357 S BALDWIN PARK MURRAY UT 84123 | SCARTEZINA, JODIE M 5349 S BALDWIN PARK MURRAY UT 84123 |

| | | |
|--|--|--|
| SEDA, ELADIO & GLORIA E; JT 5233 S GRAVENSTEIN PARK MURRAY UT 84123 | SEHER, BETHANY J 5199 S GRAVENSTEIN PARK MURRAY UT 84123 | SEILER, TORI J; JT OCHSNER, KRISTI; JT 5232 S GRAVENSTEIN PARK MURRAY UT 84123 |
| SHELTON, TAWNI 5225 S GRAVENSTEIN PARK MURRAY UT 84123 | SIMPSON, ROBERT & AMY; JT 5344 S BALDWIN PARK MURRAY UT 84123 | SMITH, EMIKO 5217 S GRAVENSTEIN PARK MURRAY UT 84123 |
| SNIDER, PRESTON 5354 S BALDWIN PARK MURRAY UT 84123 | SOMBOUTH, REMY P 5231 S GRAVENSTEIN PARK MURRAY UT 84123 | SPARKS, DONALD E 5320 S BEN DAVIS PARK MURRAY UT 84123 |
| STAPLEY, JARED; JT WARR, WYATT; JT 5272 S ROME BEAUTY PARK MURRAY UT 84123 | STARKS, JUSTINE & JOZWIAK, MICHAEL; JT 5267 S ROME BEAUTY PARK MURRAY UT 84123 | STEADMAN, BRETT & KATHLEEN; JT 5267 S GRAVENSTEIN PARK MURRAY UT 84123 |
| STEADMAN, KENNY & KELLER, SUSAN D; JT 5212 S GRAVENSTEIN PARK MURRAY UT 84123 | STEINBACH, MELISSA A 5197 S GRAVENSTEIN PARK MURRAY UT 84123 | STEPHENSON, AUGUSTA & GARCIA, ROSENDO; JT 5326 S BEN DAVIS PARK MURRAY UT 84123 |
| STEPHENSON, CHELSEA J 5348 S BALDWIN PARK # 102 MURRAY UT 84123 | STRACENER, BRUCE N 5312 S BEN DAVIS PARK MURRAY UT 84123 | STRONG, KENNEDY 9262 S 3825 W WEST JORDAN UT 84088 |
| SUNDWALL, LARS & MELANIE; JT 5367 S BALDWIN PARK # 118 MURRAY UT 84123 | TEMPLIN, JAMES 5223 S GRAVENSTEIN PARK MURRAY UT 84123 | TIDWELL, MICHAEL E; ET AL 5278 S ROME BEAUTY PARK MURRAY UT 84123 |
| TILLEY, EVAN J 5185 S GRAVENSTEIN PARK MURRAY UT 84123 | TUFT, TREVOR 5346 S BALDWIN PARK MURRAY UT 84123 | ULRICK, ANDREA 5305 S BEN DAVIS PARK MURRAY UT 84123 |
| VALDEZ, MACKENZIE 5313 S BEN DAVIS PARK MURRAY UT 84123 | WALTER, KURT A 5205 S GRAVENSTEIN PARK MURRAY UT 84123 | WEILIS INVESTMENT, LLC 5266 S ROME BEAUTY PARK MURRAY UT 84123 |
| WENTZ, TRAVIS; JT DARCIA; JT 5364 S BALDWIN PARK MURRAY UT 84123 | WENTZ, WHEATER, WESLEY C & SUSAN L; JT 5187 S GRAVENSTEIN PARK MURRAY UT 84123 | WHITE, REMINGTON 5227 S GRAVENSTEIN PARK MURRAY UT 84123 |

WUEST, SHAINA
5239 S GRAVENSTEIN PARK
MURRAY UT 84123

WILDE, COLLEEN M
5201 S GRAVENSTEIN PARK
MURRAY UT 84123

WINN, GERALD F
5277 S GRAVENSTEIN PARK
MURRAY UT 84123

WORTHEN, JAMI C
5269 S GRAVENSTEIN PARK
MURRAY UT 84123

WRIGLEY, ANDREW
5323 S BEN DAVIS PARK
MURRAY UT 84123

YOUNG, KRISTINA
5269 S ROME BEAUTY PARK
MURRAY UT 84123

ZABRISKIE, JOSH
5363 S BALDWIN PARK
MURRAY UT 84123

ZOLLINGER, VICKI J
5286 S ROME BEAUTY PARK
MURRAY UT 84123

APPLEGATE CONDM
COMMON AREA MASTER CARD
5297 S GLENDON ST
MURRAY UT 84123

BLAINE & MARY ANN PARKER LLC
835 W LUCKY CLOVER CIR
MURRAY UT 84123

DOUGLAS C & LARUE H WOODBURY
FAMILY TR
3003 E CRAIG DR
MILLCREEK UT 84109

KALAHAR FAM TR
KALAHAR, TRACEE; TR
5273 S GRAVENSTEIN PARK
MURRAY UT 84123

MICKELSEN 5285 LLC
8137 S PHEASANT RUN CIR
WEST JORDAN UT 84088

RFG 10 LLC
PO BOX 17232
SALT LAKE CITY UT 84117

TAYLOR NELSON IRA
2605 WASHINGTON BLVD
OGDEN UT 84401

TOBY S FAM LIMITED PARTNERSHIP
PO BOX 57850
MURRAY UT 84157

TOBY S FAMILY LIMITED
PARTNERSHIP
PO BOX 1380
MESQUITE NV 89024

WEILI S INVESTMENT LLC
2126 E CANDLE SPRUCE CV
SANDY UT 84092

P/C AGENDA MAILINGS

"AFFECTED ENTITIES"

Updated 11/2017

UDOT - REGION 2
ATTN: MARK VELASQUEZ
2010 S 2760 W
SLC UT 84104

UTAH TRANSIT AUTHORITY
ATTN: PLANNING DEPT
PO BOX 30810
SLC UT 84130-0810

TAYLORSVILLE CITY
PLANNING & ZONING DEPT
2600 W TAYLORSVILLE BLVD
TAYLORSVILLE UT 84118

WEST JORDAN CITY
PLANNING DIVISION
8000 S 1700 W
WEST JORDAN UT 84088

CHAMBER OF COMMERCE
ATTN: STEPHANIE WRIGHT
5250 S COMMERCE DR #180
MURRAY UT 84107

MURRAY SCHOOL DIST
ATTN: ROCK BOYER
5102 S Commerce Drive
MURRAY UT 84107

MIDVALE CITY
PLANNING DEPT
7505 S HOLDEN STREET
MIDVALE UT 84047

SALT LAKE COUNTY
PLANNING DEPT
2001 S STATE ST
SLC UT 84190

GRANITE SCHOOL DIST
ATTN: KIETH BRADSHAW
2500 S STATE ST
SALT LAKE CITY UT 84115

UTAH POWER & LIGHT
ATTN: KIM FELICE
12840 PONY EXPRESS ROAD
DRAPER UT 84020

DOMINION ENERGY
ATTN: BRAD HASTY
P O BOX 45360
SLC UT 84145-0360

COTTONWOOD IMPRVMT
ATTN: LONN RASMUSSEN
8620 S HIGHLAND DR
SANDY UT 84093

JORDAN VALLEY WATER
ATTN: LORI FOX
8215 S 1300 W
WEST JORDAN UT 84088

CENTRAL UTAH WATER DIST
355 W UNIVERSITY PARKWAY
OREM UT 84058

HOLLADAY CITY
PLANNING DEPT
4580 S 2300 E
HOLLADAY UT 84117

COTTONWOOD HEIGHTS CITY
ATTN: PLANNING & ZONING
2277 E Bengal Blvd
Cottonwood Heights, UT 84121

SANDY CITY
PLANNING & ZONING
10000 CENTENNIAL PRKWY
SANDY UT 84070

UTOPIA
Attn: JAMIE BROTHERTON
5858 So 900 E
MURRAY UT 84121

COMCAST
ATTN: GREG MILLER
1350 MILLER AVE
SLC UT 84106

MILLCREEK
Attn: Planning & Zoning
3330 South 1300 East
Millcreek, UT 84106

GENERAL PLAN MAILINGS:

WASATCH FRONT REG CNCL
PLANNING DEPT
295 N JIMMY DOOLITTLE RD
SLC UT 84116

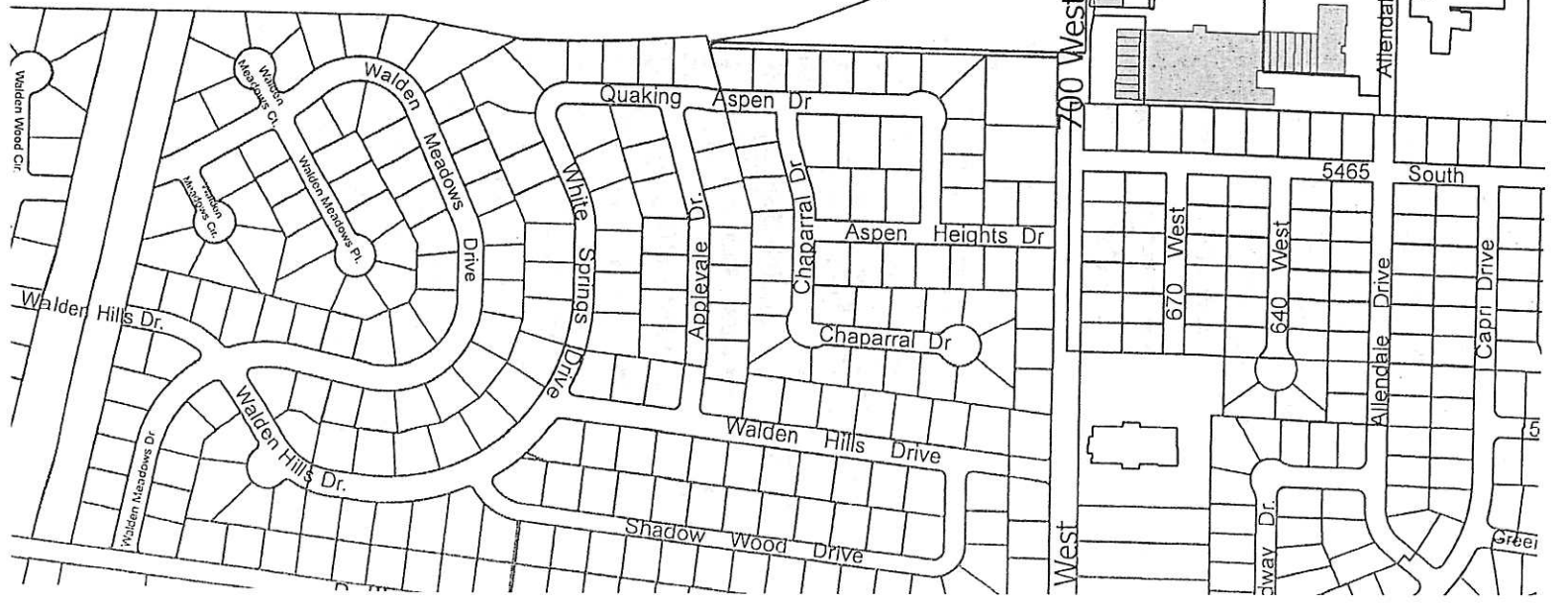
UTAH AGRC
STATE OFFICE BLDG #5130
SLC UT 84114

17445 Yule Circle



5400 South

5400 South



APPLEGATE-500' radius outside of
Applegate
P/C 8/2/18
Project #18-93 & 94

ALARCON-ZAMBRANO, ISRAEL J
5235 S GLENDON ST
MURRAY UT 84123

ALLRED, AARON D & PEGGY L; JT
828 W CLOVER MEADOW DR
MURRAY UT 84123

AMBLER, MYRNA
5200 S CLOVER MEADOW DR
MURRAY UT 84123

ANDERSCH, GERALD L & MARY J (JT)
5335 MAJESTIC VILLAGE CIR
MURRAY UT 84123

ANDERSON, AMANDA R; JT
DICKERSON, CHASE; JT
5235 S GLENDON ST
MURRAY UT 84123

ANDERSON, JANICE & VICTOR; JT
5343 S LUCKY CLOVER LN
MURRAY UT 84123

AZUARA, ADIEL
5235 S GLENDON ST
MURRAY UT 84123

BAIN, ANDREA
790 W CLOVER BLOSSOM CIR
MURRAY UT 84123

BARBANO, RONALD A & MARLENE; JT
5363 S LUCKY CLOVER LN
MURRAY UT 84123

BARLOW, JON D & LISA ANNE; JT
786 W QUAKING ASPEN DR
MURRAY UT 84123

BARTON, KEITH L & MARY A; JT
761 W CLOVER BLOSSOM CIR
MURRAY UT 84123

BEH, ISSACHAR J
5147 S LUCKY CLOVER LN
MURRAY UT 84123

BEIERLE, DARIN C & KRISTA; JT
5359 S LUCKY CLOVER LN
MURRAY UT 84123

BAUM, PHILLIP J & DONNA C; TRS
821 W CLOVER MEADOW DR
MURRAY UT 84123

BENTLEY, DEAN R & DIANE L; TRS
740 W QUAKING ASPEN DR
MURRAY UT 84123

BOLANDER, BRYAN C & JEAN R; JT
852 W CLOVER BLOSSOM CIR
MURRAY UT 84123

BELJAARS, RUDOLPH
5311 S CLOVER MEADOW DR
MURRAY UT 84123

BRACKUS, BRENT R & LISA M; JT
5345 S CLOVER MEADOW DR
MURRAY UT 84123

BRAMBILA, MELODIE & JOHN ROBERT
5207 S LUCKY CLOVER LN
MURRAY UT 84123

BOWMAN, BERRY M & PAMELA L; JT
804 W LUCKY CLOVER LN
MURRAY UT 84123

BREEZE, R TIM & BONNIE J; JT
5170 S CLOVER MEADOW DR
MURRAY UT 84123

BRIDGE, DAVID & KATHRYN J; JT
825 W LUCKY CLOVER CIR
MURRAY UT 84123

BREEZE, BRANDI
5180 S CLOVER MEADOW DR
MURRAY UT 84123

BROWN, DEAN C & LAUREL O
5311 S LUCKY CLOVER LN
MURRAY UT 84123

BUCK, DON WILLIAM & TERRI LEE; TRS
(D&TBLT)
780 W CLOVER MEADOW DR
MURRAY UT 84123

BROWN, COLLEEN H & DAVID L; TRS
(CHBLT)
5311 MAJESTIC VILLAGE CIR
MURRAY UT 84123

CHAPPELL, DAVID A & KATHRYN
868 W SPRING CLOVER DR
MURRAY UT 84123

CHRISTENSEN, JEFF B
756 W QUAKING ASPEN DR
MURRAY UT 84123

BURNINGHAM, BRANDON W &
BRANDY L; JT
5347 MAJESTIC VILLAGE CIR
MURRAY UT 84123

| | | |
|--|--|--|
| CLEGG, CHRISTINA M & HANSEN, SCOTT D; JT 5187 S LUCKY CLOVER LN MURRAY UT 84123 | COLTON, JEFFREY; JT COLTON, ERICA; JT 5235 S GLENDON ST MURRAY UT 84123 | CHRISTENSEN, RUSSELL & DEBRA; TRS (ROC REV TR) 842 W CLOVER BLOSSOM CIR MURRAY UT 84123 |
| CORDER, DAVID; TR (DGCRLT) 781 W LUCKY CLOVER LN MURRAY UT 84123 | CROSS, WILLIAM C & JANET W; TRS 5195 S LUCKY CLOVER LN MURRAY UT 84123 | COPPLE, JON 3356 W HIGH BLUFF MEADOW LEHI UT 84043 |
| DALTON, LORRAINE D 5235 S GLENDON ST # H-1 MURRAY UT 84123 | DARRINGTON, ALLAN B & TRUDY; JT 2866 S HAWKER LN WEST VALLEY UT 84128 | D.U. COMPANY, INC 20 W CENTURY PARK WY SOUTH SALT LAKE UT 84115 |
| DEZELL, WILLIAM J 5235 S GLENDON ST # D-2 MURRAY UT 84123 | DODDS, DAVID F & TERRY L; JT 5123 S LUCKY CLOVER LN MURRAY UT 84123 | DODDS, DAVID F & TERRY L (JT) 5123 S LUCKY CLOVER LN MURRAY UT 84123 |
| DRANEY, MARLOW R & LORI N; JT 5178 S LUCKY CLOVER LN MURRAY UT 84123 | DUNN, W RONALD & KRISTINE J; TRS 5320 MAJESTIC VILLAGE CIR MURRAY UT 84123 | ELLSTROM, THOMAS N & THOMAS, JUDY R; JT 5235 S GLENDON ST # A4 MURRAY UT 84123 |
| ERICKSON, BRADLEY R 791 W CLOVER BLOSSOM CIR MURRAY UT 84123 | FARR, CHRISTIAN D & MICHELE; JT 5235 S GLENDON ST # K-3 MURRAY UT 84123 | FAULL, ANGELA JT FAULL, JOHN JT 878 W SPRING CLOVER DR MURRAY UT 84123 |
| FIVAS, JAMIE LYNN 6983 S HOLLOW RIDGE RD COTTONWOOD HTS UT 84121 | FLORES, RICARDO C & TERESA O; JT 5188 S LUCKY CLOVER LN MURRAY UT 84123 | FRANKE, LORI A 5235 S GLENDON ST MURRAY UT 84123 |
| FRAZER, CHAD M & KAREN M; JT 176 N R ST SALT LAKE CITY UT 84103 | FRODSHAM, MARK J & ROSALIE N; JT 5342 S LUCKY CLOVER LN MURRAY UT 84123 | GAMBLER, PALMER FOSTER 5299 S CLOVER MEADOW DR MURRAY UT 84123 |
| GARCIA, MICHAEL J & JANET; TRS 803 W GERMANIA ST MURRAY UT 84123 | GENTILE, SABINA 5235 S GLENDON ST # E-4 MURRAY UT 84123 | GLAVAS, RICHARD A & MARYANN M; J 841 W LUCKY CLOVER CIR MURRAY UT 84123 |
| GARDNER, KYLEE P 5235 S GLENDON ST MURRAY UT 84123 | GOODWIN, JESSICA 766 W QUAKING ASPEN DR MURRAY UT 84123 | GOSS, JAMES E; JT GOSS, MIRIAN; JT 5353 S LUCKY CLOVER LN MURRAY UT 84123 |

| | | |
|--|---|---|
| GOELLER, DONNA A & HOMMA, YEIKO; TC 796 W QUAKING ASPEN DR MURRAY UT 84123 | GREENWOOD, BRENT T & RITA H; TRS 8347 S VAN BUREN ST MIDVALE UT 84047 | GUTIERREZ, LUIS; JT GUTIERREZ, ISABEL; JT 5235 S GLENDON ST MURRAY UT 84123 |
| GRAY, LLOYD D & JOYCE M; TRS (LDG&JMGFLT) 815 W GERMANIA ST MURRAY UT 84123 | GROWN, JESSICA L 809 W CLOVER BLOSSOM CIR MURRAY UT 84123 | HANSEN, BARBARA H; TR 5269 S CLOVER MEADOW DR MURRAY UT 84123 |
| GRIMAUD, ALMA R 5348 MAJESTIC VILLAGE CIR MURRAY UT 84123 | HANNAM, HARMONY A 5235 S GLENDON ST # F3 MURRAY UT 84123 | HANSON, RICHARD M & PHYLLIS A; JT 5269 S LUCKY CLOVER LN MURRAY UT 84123 |
| HALL, RICHARD D & VALERIE N (JT) 799 W LUCKY CLOVER LN MURRAY UT 84123 | HANSON, JAMES R & LISA M; JT 5314 S LUCKY CLOVER LN MURRAY UT 84123 | HASLAM, DEANN E 5319 MAJESTIC VILLAGE CIR MURRAY UT 84123 |
| HANSEN, DEBRA 1187 W JOYES LN WEST JORDAN UT 84088 | HASKELL, LAURA B & ALMA P; JT 5287 S CLOVER MEADOW DR MURRAY UT 84123 | HENDRICKSON, GABRIELLE; JT SINGER, CHANCE; JT 5321 S LUCKY CLOVER LN MURRAY UT 84123 |
| HARTLEY, JAMES E & LINDA F (JT) 5282 S LUCKY CLOVER LN MURRAY UT 84123 | HAZELGREN, JAY D; TR 5240 S LUCKY CLOVER LN MURRAY UT 84123 | HOSKINGS, ROBERT D 5202 S LUCKY CLOVER LN MURRAY UT 84123 |
| HATCH, MICHAEL R 5588 S WALDEN MEADOWS DR MURRAY UT 84123 | HOPKINS, REBECCA A & ERIC L; JT 760 W CLOVER BLOSSOM CIR MURRAY UT 84123 | HUGHES, RICHARD E & DEBBIE; JT 5245 S CLOVER MEADOW DR MURRAY UT 84123 |
| HOLMES, TYLER D & REAGAN D; JT 864 W CLOVER MEADOW CIR MURRAY UT 84123 | HUFF, STANLEY M & MARIA H; TRS (SMH&MHH J REV TR) 812 W LUCKY CLOVER CIR MURRAY UT 84123 | JEWKES, SAMUEL S & MELANIE D; JT 5194 S LUCKY CLOVER LN MURRAY UT 84123 |
| HUEBNER, LOIS A 774 W LUCKY CLOVER LN MURRAY UT 84123 | JENSEN, SHANE V & TRACIE; JT 791 W GERMANIA ST MURRAY UT 84123 | JOHNSON, ROSS DEAN & CHERYL A; TRS (RD&CAJ FAM TR) 845 W GERMANIA ST MURRAY UT 84123 |
| HUSETH, DARRELL & HESTER, DIANE J 5379 S LUCKY CLOVER LN MURRAY UT 84123 | JOHNSON, KATHLEEN 865 W CLOVER MEADOW CIR MURRAY UT 84123 | JONES, DAVID R & COOPER, MARY M; JT 5274 S ALLENDALE DR MURRAY UT 84123 |

JOHNSON, BRADLEY C & MICHELLE A
775 W CLOVER BLOSSOM CIR
MURRAY UT 84123

KELLY, PAUL R & VIKKI; JT
5254 S LUCKY CLOVER LN
MURRAY UT 84123

KELSEY, ROBERT E & CARRIE C; JT
849 W SPRING CLOVER DR
MURRAY UT 84123

JONES, BRENT W & RHONDA C; TRS
(B&RJ FAM TR)
5233 S CLOVER MEADOW DR
MURRAY UT 84123

KINZEL, DAYNA A & DUSTIN; JT
5304 S LUCKY CLOVER LN
MURRAY UT 84123

KLEMZ, STEVEN A & NORMA O; JT
5126 S LUCKY CLOVER LN
MURRAY UT 84123

KASTELER, DANIEL L & SHAYNE I; JT
5313 MAJESTIC VILLAGE CIR
MURRAY UT 84123

KRUSE, JASON T & AMY M; JT
5235 S GLENDON ST # J-1
MURRAY UT 84123

KRYGER, STEPHEN C & LINDSEY M; JT
5212 S LUCKY CLOVER LN
MURRAY UT 84123

KINNEY, KOLE M
6365 S UYEDA CT
WEST JORDAN UT 84081

LAIDLAW, DON
5157 S CLOVER MEADOW DR
MURRAY UT 84123

LANG, CLARE A & ROBERT G, JR; TRS
816 W LUCKY CLOVER LN
MURRAY UT 84123

KNIGHT, RUSSEL L & SUSANNE H (JT)
818 W CLOVER MEADOW DR
MURRAY UT 84123

LAPRAY, GLEN; JT
LAPRAY, JAYME; JT
788 W CLOVER MEADOW DR
MURRAY UT 84123

LECLUYSE, CHRISTOPHER C &
CHRISTINA M K; JT
5340 MAJESTIC VILLAGE CIR
MURRAY UT 84123

KUNZ, TAYLOR
5235 S GLENDON ST # D-3
MURRAY UT 84123

LEAMAN, APRIL V & JONATHAN A; JT
843 W CLOVER BLOSSOM CIR
MURRAY UT 84123

LIVSEY, MARK E & DIANA M (JT)
5297 S LUCKY CLOVER LN
MURRAY UT 84123

LANG, JUSTIN
816 W LUCKY CLOVER LN
MURRAY UT 84123

LI, QINGFEN
5235 S GLENDON ST
MURRAY UT 84123

MAIO, LESLIE
824 W LUCKY CLOVER CIR
MURRAY UT 84123

LAWSON, THOMAS W & BONNE S; JT
5135 S LUCKY CLOVER LN
MURRAY UT 84123

LUNA, ERNESTO &
BORRAYO, YOLANDA; TC
5235 S GLENDON ST # J4
MURRAY UT 84123

MCCARTY, DAVID & LAURIE K; JT
5169 S LUCKY CLOVER LN
MURRAY UT 84123

LEWIS, DANIEL W & DYANN C; TRS
5333 S CLOVER MEADOW DR
MURRAY UT 84123

MAY, JESS B
5364 S LUCKY CLOVER LN
MURRAY UT 84123

MICHEL, JEREMY U
5235 S GLENDON ST # A-2
MURRAY UT 84123

LUCKY, AARON B; TR (ABL TR)
776 W CLOVER BLOSSOM CIR
MURRAY UT 84123

MERRILL, GERILYN; JT
MERRILL, SETH; JT
5451 S QUAKING ASPEN DR
MURRAY UT 84123

MILLER, KYLE
4885 S 900 E # 100
SALT LAKE CITY UT 84117

MARTINEZ, KAREN
5235 S GLENDON ST # H4
MURRAY UT 84123

MILLER, CHARLES W
PO BOX 521231
SALT LAKE CITY UT 84152

MONSON, LANTZ K & PAMELA S (JT)
5325 MAJESTIC VILLAGE CIR
MURRAY UT 84123

MCQUISTON, RHETT & ROLINA; JT
849 W CLOVER BLOSSOM CIR
MURRAY UT 84123

MOHLMAN, F KENTON & SUSAN W;
TRS (FKM&SWML TRUST)
808 W CLOVER MEADOW DR
MURRAY UT 84123

MORRIS, AARON
5235 S GLENDON ST # J2
MURRAY UT 84123

MILLAR, BRAXTON J & CYNTHIA D; TRS
809 W LUCKY CLOVER LN
MURRAY UT 84123

MOOSMAN, MICHAEL T
5235 S GLENDON ST # J-3
MURRAY UT 84123

NAPOLITANO, REGINA M &
MICHAEL P; JT
746 W QUAKING ASPEN DR
MURRAY UT 84123

MILLHAM, LEESA
5321 S CLOVER MEADOW DR
MURRAY UT 84123

MURRAY II RP SNF, LLC
140 N UNION AVE STE 230
FARMINGTON UT 84025

NELSON, CHRISTINE G
5235 S GLENDON ST # K-2
MURRAY UT 84123

MONTOYA, MICHAEL
5371 S LUCKY CLOVER LN
MURRAY UT 84123

NELL, JACQUES
4216 S SOLITUDE RIDGE
TAYLORSVILLE UT 84129

NIEBERGALL, BRYAN JOHN & LINDA
KAY; TRS (B&LN TR)
846 W CLOVER BLOSSOM CIR
MURRAY UT 84123

MORSE, JAMES & MELISSA A; JT
14404 S ATTLEBORO DR
HERRIMAN UT 84096

NG, PAUL W & DEBORAH S; TRS
5330 MAJESTIC VILLAGE CIR
MURRAY UT 84123

OBRIEN, CHARLOTTE A; ET AL
5167 S CLOVER MEADOW DR
MURRAY UT 84123

NEFF, GLENN E & PATRICIA M; TRS
5305 S CLOVER MEADOW DR
MURRAY UT 84123

NORDELL, COLTON &
DALBY, AMY; JT
5235 S GLENDON ST # M1
MURRAY UT 84123

OLSEN, WILLIAM H & CAROLYN L (JT)
5330 S LUCKY CLOVER LN
MURRAY UT 84123

NEWMAN, ANDREA
6937 S HOLLOW VIEW WY
WEST JORDAN UT 84084

OLIVERSON, MALLORY; JT
HALL, CHRISTOPHER J; JT
5235 S GLENDON ST
MURRAY UT 84123

OSBORNE, MARGARET & STEVEN; TC
5235 S GLENDON ST # N-2
MURRAY UT 84123

NIELSON, TODD & ROBILYN; TRS
5209 S CLOVER MEADOW DR
MURRAY UT 84123

OLSON, WILLIAM R
5187 S CLOVER MEADOW DR
MURRAY UT 84123

PARKER, BLAINE R & MARY ANN; TRS
835 W LUCKY CLOVER CIR
MURRAY UT 84123

OLIVER, C RUSSELL & TERRI L; TRS
5138 S LUCKY CLOVER LN
MURRAY UT 84123

PARK, LINDSAY & DALLIN G; JT
5294 S LUCKY CLOVER LN
MURRAY UT 84123

PC RIVERVIEW, LLC
20 W CENTURY PARK WY
SOUTH SALT LAKE UT 84115

OLSON, VIVIAN P
5331 S LUCKY CLOVER LN
MURRAY UT 84123

PAYNE, LARRY A & JUDY L (JT)
869 W SPRING CLOVER DR
MURRAY UT 84123

PETERSON, MICHAEL H
5235 S GLENDON ST # C2
MURRAY UT 84123

PAGE, STEVEN H & NADINE W; TRS
801 W CLOVER MEADOW DR
MURRAY UT 84123

PEREZ, GEORGINA
5235 S GLENDON ST # N-3
MURRAY UT 84123

PUTNAM, WILLIAM P &
KIMBERLEY T; JT
5231 S LUCKY CLOVER LN
MURRAY UT 84123

PATTERSON, JERALD W
5341 MAJESTIC VILLAGE CIR
MURRAY UT 84123

POULSEN, GARY L & BONNIE J; JT
839 W SPRING CLOVER DR
MURRAY UT 84123

RICHARDSON, SEAN R &
SPACKMAN, SANDRA; TC
5328 MAJESTIC VILLAGE CIR
MURRAY UT 84123

PECHARICH, R NEIL & JAN; JT
858 W CLOVER MEADOW CIR
MURRAY UT 84123

REDD, GEORGE E, III & MARSHA D (JT)
5326 MAJESTIC VILLAGE CIR
MURRAY UT 84123

SALVATION ARMY, THE
PO BOX 2970
SALT LAKE CITY UT 84110

POPE, JENSEENA; JT
POPE, RYAN; JT
5235 S GLENDON ST
MURRAY UT 84123

ROSSI, DEBRA E R
877 W SPRING CLOVER DR
MURRAY UT 84123

SEGURA, LARRY & JOHANNA; JT
826 W LUCKY CLOVER LN
MURRAY UT 84123

RAEL, MICHAEL R
5235 S GLENDON ST # N4
MURRAY UT 84123

SCHNEIDER, DAVID J & CARMA R (JT)
793 W CLOVER MEADOW DR
MURRAY UT 84123

SHELTON, KARL L & JOY; JT
5896 S KINGSTON WY
MURRAY UT 84107

ROBINSON, SARAH
5235 S GLENDON ST # H-2
MURRAY UT 84123

SHELTON, JEAN L
5456 S 700 W
MURRAY UT 84123

SMITH, AARON K &
MOOSE, KATHERINE L; JT
5235 S GLENDON ST # G-1
MURRAY UT 84123

SALVESEN, WENDY L
5235 S GLENDON ST # F-1
MURRAY UT 84123

SIMS, JOHN W & BARBARA S; JT
851 W CLOVER BLOSSOM CIR
MURRAY UT 84123

SNARR, GLEN B & JENINE H; JT
5219 S LUCKY CLOVER LN
MURRAY UT 84123

SESSIONS, DAVID B
5129 S CLOVER MEADOW DR
MURRAY UT 84123

SMITH, STEPHEN C
5948 S 570 E
MURRAY UT 84107

SWAIN, JOAN F
789 W LUCKY CLOVER LN
MURRAY UT 84123

SHELTON, KARL L & JOY; JT
5896 S KINGSTON WY
MURRAY UT 84107

STETTLER, ALAN J & WENDY W; JT
817 W LUCKY CLOVER LN
MURRAY UT 84123

TERAN, ROBERT P
5235 S GLENDON ST
MURRAY UT 84123

SMITH, SAMUEL J & MARGIE; JT
5115 S HONEY CLOVER CT
MURRAY UT 84123

TENNEY, BRUCE M & SHERRY N; JT
5197 S CLOVER MEADOW DR
MURRAY UT 84123

TRIPP, LARESA M
1445 E LOMBARDY DR
MURRAY UT 84121

STEFFENS, JOHN D & BONNIE L; JT
3795 N 2538 E
TWIN FALLS ID 83301

THOMAS, LOIS M; JT
THOMAS, KELLY L; JT
785 W CLOVER MEADOW DR
MURRAY UT 84123

VIDOVIC, IVAN
5235 S GLENDON ST # G-4
MURRAY UT 84123

TALBOT, JOHN L & LEANN A; TRS
(JLT&LAT FAM TR)
5190 S CLOVER MEADOW DR
MURRAY UT 84123

VETETO, TROY W & RENEE; JT
5226 S LUCKY CLOVER LN
MURRAY UT 84123

WALTON, SIERRA D
5235 S GLENDON ST
MURRAY UT 84123

TERRY, ROSS & EILEEN; TR (R&ETFT)
5266 S LUCKY CLOVER LN
MURRAY UT 84123

WALLACE, DONALD E & GLORIA Y; TRS
4973 W RIVER CHASE RD
HERRIMAN UT 84096

WHITE, E MARCUS & ROCHELLE; JT
776 W QUAKING ASPEN DR
MURRAY UT 84123

TURNBOW, LYNN &
MAGURE, SHERRILL A; TRS
871 W CLOVER MEADOW CIR
MURRAY UT 84123

WHARTON, MATHEW B
5322 S LUCKY CLOVER LN
MURRAY UT 84123

YANKEE, ADAM; JT
YANKEE, MARTINA K; JT
831 W LUCKY CLOVER CIR
MURRAY UT 84123

VIERNES, JOHN S
834 W LUCKY CLOVER CIR
MURRAY UT 84123

WILLAHAN, WILLIAM R & PAMELA; TRS
806 W CLOVER BLOSSOM CIR
MURRAY UT 84123

APPLEGATE HOMEOWNERS ASSN
5297 S GLENDON ST
MURRAY UT 84123

WESTFAHL, CHARLES M & JUDITH K
1493 E TUMBLEWEED WY
DRAPER UT 84020

ZEUSCHNER, JENNIFER
5321 S BEN DAVIS PARK
MURRAY UT 84123

GLENDON WAY HOMEOWNERS
ASSOCIATION, INC
2866 S HAWKER LN
WEST VALLEY UT 84128

WHITTAKER, CELESTE S
5235 S GLENDON WY # K-4
MURRAY UT 84123

PC RIVERVIEW LLC
20 W CENTURY PARK WY
SOUTH SALT LAKE UT 84115

MURRAY CITY CORPORATION
5025 S STATE ST
MURRAY UT 84107

ZELENKOV, MARA
5235 S GLENDON ST # D-1
MURRAY UT 84123

SALT LAKE COUNTY
PO BOX 144575
SALT LAKE CITY UT 84114

RW AUSTIN PROPERTY LLC
4859 S 190 W
MURRAY UT 84107

CORP OF PB OF CH JC OF LDS
50 E NORTHTEMPLE ST #2225
SALT LAKE CITY UT 84150

TESORO REFINING & MARKETING
COMPANY LLC
19100 RIDGEWOOD PKWY
SAN ANTONIO TX 78259

SMITH FAMILY TRUST 5/20/2011
SMITH, PATRICIA A; TR
5179 S LUCKY CLOVER LN
MURRAY UT 84123

LINCOLN CONDOS LLC
2763 E EVERGREEN AVE
SALT LAKE CITY UT 84109

SMITHS MANAGEMENT CORP
1014 VINE ST
CINCINNATI OH 45202

THE BOARD OF EDUCATION OF
MURRAY CITY SCHOOL DISTRICT
147 E 5065 S
MURRAY UT 84107

PATRICIA ANN STUMPH TR
STUMPH, PATRICIA A; TR
5116 S GERMANIA PL
MURRAY UT 84123

WIRTHLIN PROPERTIES LC
5482 S AVALON DR
MURRAY UT 84107

P/C AGENDA MAILINGS
"AFFECTED ENTITIES"
Updated 11/2017

UDOT - REGION 2
ATTN: MARK VELASQUEZ
2010 S 2760 W
SLC UT 84104

UTAH TRANSIT AUTHORITY
ATTN: PLANNING DEPT
PO BOX 30810
SLC UT 84130-0810

TAYLORSVILLE CITY
PLANNING & ZONING DEPT
2600 W TAYLORSVILLE BLVD
TAYLORSVILLE UT 84118

WEST JORDAN CITY
PLANNING DIVISION
8000 S 1700 W
WEST JORDAN UT 84088

CHAMBER OF COMMERCE
ATTN: STEPHANIE WRIGHT
5250 S COMMERCE DR #180
MURRAY UT 84107

MURRAY SCHOOL DIST
ATTN: ROCK BOYER
5102 S Commerce Drive
MURRAY UT 84107

MIDVALE CITY
PLANNING DEPT
7505 S HOLDEN STREET
MIDVALE UT 84047

SALT LAKE COUNTY
PLANNING DEPT
2001 S STATE ST
SLC UT 84190

GRANITE SCHOOL DIST
ATTN: KIETH BRADSHAW
2500 S STATE ST
SALT LAKE CITY UT 84115

UTAH POWER & LIGHT
ATTN: KIM FELICE
12840 PONY EXPRESS ROAD
DRAPER UT 84020

DOMINION ENERGY
ATTN: BRAD HASTY
P O BOX 45360
SLC UT 84145-0360

COTTONWOOD IMPRVMT
ATTN: LONN RASMUSSEN
8620 S HIGHLAND DR
SANDY UT 84093

JORDAN VALLEY WATER
ATTN: LORI FOX
8215 S 1300 W
WEST JORDAN UT 84088

CENTRAL UTAH WATER DIST
355 W UNIVERSITY PARKWAY
OREM UT 84058

HOLLADAY CITY
PLANNING DEPT
4580 S 2300 E
HOLLADAY UT 84117

COTTONWOOD HEIGHTS CITY
ATTN: PLANNING & ZONING
2277 E Bengal Blvd
Cottonwood Heights, UT 84121

SANDY CITY
PLANNING & ZONING
10000 CENTENNIAL PRKWY
SANDY UT 84070

UTOPIA
Attn: JAMIE BROTHERTON
5858 So 900 E
MURRAY UT 84121

COMCAST
ATTN: GREG MILLER
1350 MILLER AVE
SLC UT 84106

MILLCREEK
Attn: Planning & Zoning
3330 South 1300 East
Millcreek, UT 84106

GENERAL PLAN MAILINGS:

WASATCH FRONT REG CNCL
PLANNING DEPT
295 N JIMMY DOOLITTLE RD
SLC UT 84116

UTAH AGRC
STATE OFFICE BLDG #5130
SLC UT 84114

[illegible]

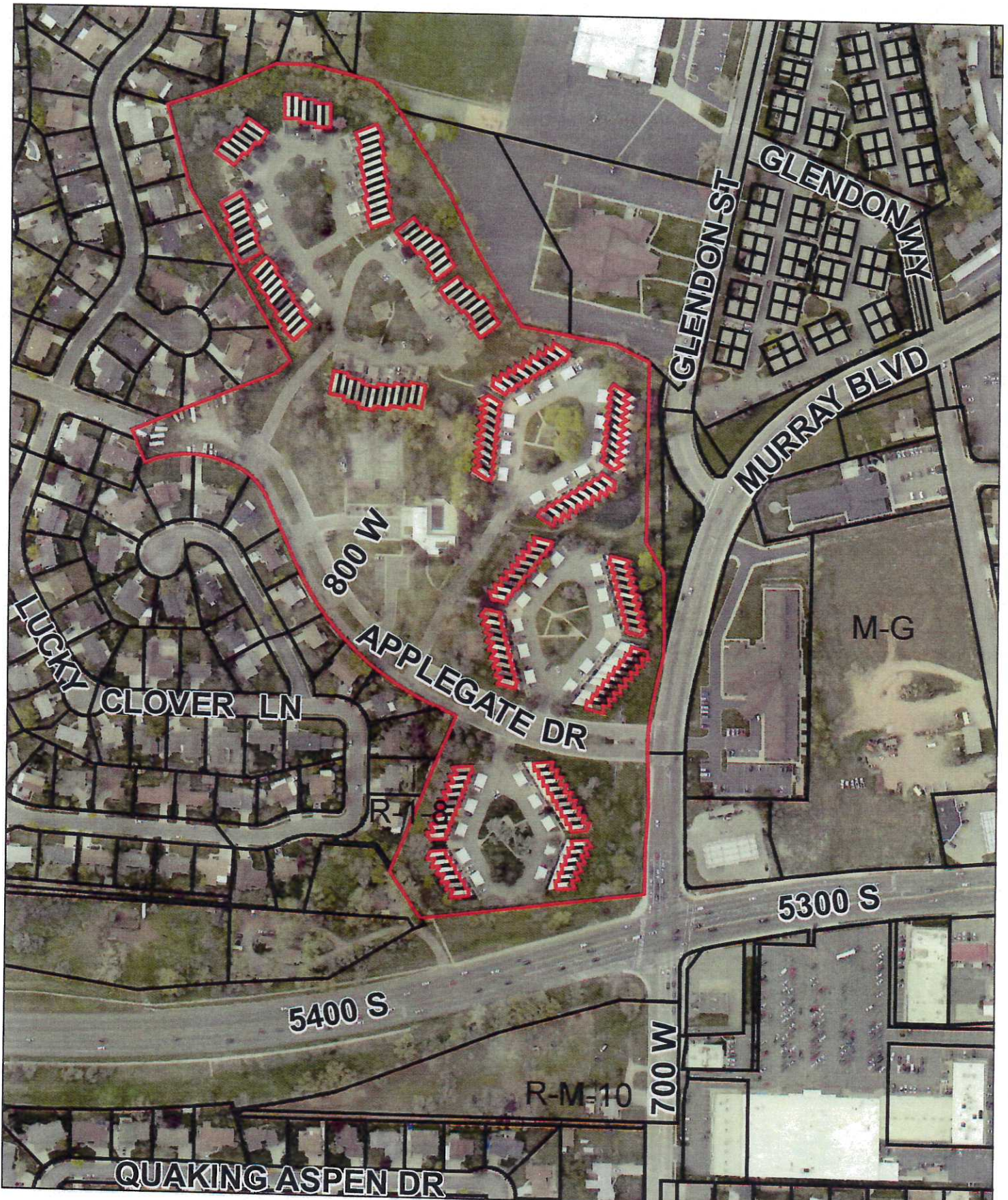
5400 South



770 West Apple Gate Way



MURRAY
ADMINISTRATIVE &
DEVELOPMENT SERVICES





MURRAY CITY CORPORATION
ADMINISTRATIVE &
DEVELOPMENT SERVICES

B. Tim Tingey, Director

Building Division
Community & Economic Development
Geographic Information Systems

Information Technology
Recorder Division
Treasurer Division

NOTICE OF PUBLIC HEARING

This notice is to inform you of a Public Hearing scheduled for Tuesday, September 18, 2018 at 6:30 p.m. in the Murray City Council Chambers, 5025 South State Street.

The City Council is considering amending the General Plan from Low Density Residential to Medium Density Residential and amending the Zoning Map from the R-1-8 zoning district to the R-M-15 zoning district for the properties located at approximately 770 West Apple Gate Way, known as the Apple Gate Condominiums, Murray, Utah.

The purpose of this hearing is to receive public comment concerning the proposed amendment to the General Plan as described above.

See the attached subject property map. This notice is being sent to you since you own property within the near vicinity. Comments at the meeting will be limited to 3 minutes per person per item. A spokesman who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the Community & Economic Development Department at least one day prior to the day of the meeting.

If you have questions or comments concerning this proposal, please call the Murray City Community & Economic Development Department office, at 801-270-2420

SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (801-264-2660). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TDD NUMBER IS 801-270-2425 OR CALL RELAY UTAH AT #711.

**RULES OF THE MURRAY CITY MUNICIPAL COUNCIL
MURRAY CITY CORPORATION**

IV. AGENDA

J. Public Hearings. This section will be used for all public hearings. The presiding officer shall conduct the public hearing in the following manner:

1. Introduction. The presiding officer informs those attending of the procedure and order of business for the hearing.
2. Staff presentation. City staff briefly summarizes the request that prompted the public hearing. This presentation shall not exceed five minutes.
3. Sponsor presentation. If desired, the sponsor of the request may also make a presentation. This presentation shall not exceed fifteen minutes.
4. Public Comment. The presiding officer asks for public comment on the matter before the Council. Comments are limited three minutes, unless otherwise approved by a majority vote of Council members, and each speaker shall be allowed to speak only once, unless otherwise approved by a majority of Council members. Speakers are requested to:
 - (a) Complete the appropriate form.
 - (b) Wait to be recognized before speaking.
 - (c) Come to the microphone.
 - (d) Be brief and to the point.
 - (e) Not restate points made by other speakers
 - (f) Address questions through the presiding officer.
 - (g) Confine remarks to the topic, avoiding personalities.

After all citizens who wish to comment have spoken, Council members may ask additional questions of participants before the presiding officer closes the hearing.

5. Sponsor summation/response. Following citizen comment and questions by the Council, the sponsor shall be given the opportunity to give a fifteen minute summation and/or response prior to closing of the public hearing.
6. Closing the hearing. If there is no further public comment, questions by Council members, or final response by the sponsor, the presiding officer declares the hearing closed. The Council shall conclude the public hearing ten minutes in advance of subsequently scheduled public hearing. The Council may, by majority vote, extend a public hearing past the starting time of a subsequent public hearing.
7. Consideration of item. At the close of the public hearing, the Council shall consider the item as a special order



MURRAY
CITY COUNCIL

New Business Item #1

Murray City Municipal Council

Request for Council Action

INSTRUCTIONS: The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

1. **TITLE:** (Similar wording will be used on the Council meeting agenda.)
CENTRAL VALLEY INTERLOCAL AGREEMENT AMENDMENT

2. **KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)
FINANCIALLY SUSTAINABLE; WELL MAINTAINED, PLANNED AND PROTECTED INFRASTRUCTURE AND ASSETS

3. **MEETING, DATE & ACTION:** (Check all that apply)

☒ Council Meeting OR ☐ Committee of the Whole

Date requested SEPTEMBER 18, 2018

☐ Discussion Only

☐ Ordinance (attach copy)

Has the Attorney reviewed the attached copy? ☐

☒ Resolution (attach copy)

Has the Attorney reviewed the attached copy? ☒

☐ Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? ☐

☐ Appeal (explain) _____

☐ Other (explain) _____

4. **FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)
N/A

5. **RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)
MEMO, RESTATED INTERLOCAL AGREEMENT, PROPOSED 1ST AMENDMENT, RESOLUTION

6. **REQUESTOR:**

Name: DANNY ASTILL Title: PUBLIC WORKS DIRECTOR

Presenter: DANNY ASTILL Title: PUBLIC WORKS DIRECTOR

Agency: MURRAY CITY Phone: 801-270-2404

Date: SEPTEMBER 4, 2018 Time: _____

7. **APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director: 

Date: SEPTEMBER 4, 2018

Mayor: 

Date: 9/6/18

8. **COUNCIL STAFF:** (For Council use only)

Number of pages: _____ Received by: _____ Date: _____ Time: _____

Recommendation: _____

9. **NOTES:**



MEMO

To: Mayor Blair Camp
From: Danny Astill, Public Works Director
Cc: Doug Hill, Chief Administrative Officer
Jennifer Heaps, Communications and Public Relations
Date: September 4, 2018
Subject: Central Valley Water Reclamation Facility Restated Interlocal Agreement,
First Amendment.

On July 17, 2018 we brought this 1st Amendment to the Central Valley Interlocal Agreement before the City Council. Unfortunately, one of the local districts had not effectively communicated this amendment to their board or legal counsel and was rejected in their board meeting. What we are presenting is the slightly modified 1st amendment of the Central Valley Water Reclamation Facility Restated Interlocal Agreement.

- Memo
- Restated interlocal agreement.
- Proposed 1st Amendment.
- Copy of the Resolution.

We are requesting that the City Council approve the attached resolution approving an amendment to an interlocal agreement with member entities of the Central Valley Water Reclamation Facility.

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT TO AN INTERLOCAL AGREEMENT WITH MEMBER ENTITIES OF THE CENTRAL VALLEY WATER RECLAMATION FACILITY

WHEREAS, the City entered into the Central Valley Water Reclamation Facility Amended and Restated Interlocal Agreement with Member Entities of the Central Valley Water Reclamation Facility (Central Valley") in January, 2017 ("Interlocal Agreement"); and

WHEREAS, the Member Entities, including the City, want to amend the Interlocal Agreement to create greater flexibility for the payment of assessments to Central Valley to cover operating costs and expenses and to allow Central Valley to collect and hold revenue generated by Central Valley operations as cash reserve; and

WHEREAS, Central Valley and its Member Entities, including the City, want to enter into an Amended Agreement to reflect the greater flexibility and to collect and hold revenue generated by Central Valley operations.

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council as follows:

1. It hereby approves the Central Valley Water Reclamation Facility First Amendment to Amended and Restated Interlocal Agreement ("Amended Interlocal Agreement") between the City and Member Entities of the Central Valley Water Reclamation Facility, in substantially the form attached.
2. The Amended Interlocal Cooperation Agreement is in the best interest of the City.
3. Mayor D. Blair Camp is hereby authorized to execute the Amended Interlocal Agreement on behalf of City and act in accordance with its terms.

PASSED AND APPROVED this ____ day of _____, 2018

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST

Jennifer Kennedy, City Recorder

**CENTRAL VALLEY WATER RECLAMATION FACILITY
AMENDED AND RESTATED INTERLOCAL AGREEMENT**

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Exhibit A- Post 2016 Ownership Example

CENTRAL VALLEY WATER RECLAMATION FACILITY AMENDED AND RESTATED INTERLOCAL AGREEMENT

I. PARTIES TO AGREEMENT

THIS AMENDED AND RESTATED INTERLOCAL AGREEMENT ("**Agreement**"), is made, entered into, and deemed effective in conformance with the requirements of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, the 1st day of January, 2017 ("**Effective Date**"), by and among Cottonwood Improvement District, formerly known as Salt Lake County Cottonwood Sanitary District, a governmental entity ("**Cottonwood**"); Mt Olympus Improvement District, formerly known as Salt Lake City Suburban Sanitary District No. 1, a governmental entity ("**Mt. Olympus**"); Granger-Hunter Improvement District, a governmental entity ("**Granger-Hunter**"); Kearns Improvement District, a governmental entity ("**Kearns**"); Murray City, a municipal corporation ("**Murray**"); City of South Salt Lake, a municipal corporation ("**South Salt Lake**"); and Taylorsville-Bennion Improvement District, a governmental entity ("**Taylorsville-Bennion**"). Collectively the parties may be referred to as the "**Member Entities**" or individually as a "**Member Entity**". The Member Entities hereby amend and restate that certain agreement made and entered into by and among the Member Entities, originally dated the 17th day of October, 1978, amended November 1, 1981, amended October 17, 1993, amended March 16, 1995, amended December 1, 1995, amended November 1, 2000, amended April 18, 2005, and amended July 2, 2013 (collectively "**Original Agreement**").

II. BACKGROUND INFORMATION

A. WHEREAS, the Member Entities are comprised of two municipal corporations and five local districts, created and established pursuant to and under the laws of the State of Utah, with the power and authority to construct, operate and maintain systems for the collection, treatment and disposition of sewage and wastewater.

B. WHEREAS, under the provisions of Title 17B, Chapter 1, Section 103, and Title 11, Chapter 8, Section 1, and Title 11, Chapter 13, Section 1, et seq. Utah Code Annotated, the Member Entities are authorized and empowered to contract with each other for the purpose of creating an interlocal entity to finance, construct, acquire, and operate sewage and wastewater works and facilities related thereto.

C. WHEREAS, Federal Law enacted under the Federal Water Pollution Control Act Amendment of 1972, as amended, mandated the integration and regionalization of sewage treatment facilities, and authorized the Administrator of the United States Environmental Protection Agency to make grants available to municipal and inter-municipal agencies for the construction and improvement of publicly-owned treatment works.

D. WHEREAS, in 1978 the Member Entities, through their respective governing bodies, determined that the interests and welfare of the public in their respective jurisdictions would best be served by a cooperative, joint effort on the part of the Member Entities with respect to the regionalization of sewage treatment and disposition facilities, and related matters and created a Utah interlocal entity known as the Central Valley Water Reclamation Facility ("**Central Valley**").

E. WHEREAS, Central Valley is managed and directed by a board of trustees referred to herein as the "**Central Valley Board**" or the "**Board**."

F. WHEREAS, the Member Entities, pursuant to a Memorandum of Understanding, dated June, 1980, transferred the operation of the existing five treatment plants owned individually by the Member Entities to Central Valley.

G. WHEREAS, Central Valley then acquired real property at the "Vitro Mill" site in Salt Lake County, Utah, together with all necessary real and personal property, rights of way,

permits and easement to construct and operate a new, regional sewage treatment plant and related facilities.

H. WHEREAS, the Member Entities reduced their understandings and agreements into the Original Prior Agreement, pursuant to which Central Valley designed, planned and constructed the Central Valley sewage and wastewater treatment plant and related facilities located at the "Vitro" site and all regional interceptor lines and related facilities for conveying sewage and wastewater to the treatment plant, ("**Central Valley Facility**").

I. WHEREAS, Central Valley has continued to operate, finance and maintain the Central Valley Facility in full compliance with all applicable state and federal governmental standards and regulations pertaining thereto.

J. WHEREAS, the initial respective ownership interest in the capacity of the Central Valley Facility, its real and personal property and related facilities, was as follows:

Figure 1.

| | |
|----------------------|-----|
| Cottonwood | 24% |
| Mt. Olympus | 25 |
| Granger-Hunter | 14 |
| Kearns | 6 |
| Murray | 10 |
| South Salt Lake | 10 |
| Taylorsville-Bennion | 11 |

Central Valley, subsequently adopted a new percentage of ownership that has been used as the basis of ownership and financial participation. That ownership relationship was examined by the Member Entities through the Interlocal Agreement Revision Committee and the Board and, at its September, 1981 meeting, the Board reaffirmed the following as the adjusted ownership interest of the Member Entities:

Figure 2.

| | |
|----------------------|-------|
| Cottonwood | 24.4% |
| Mt. Olympus | 24.5 |
| Granger-Hunter | 18.1 |
| Kearns | 5.6 |
| Murray | 10.4 |
| South Salt Lake | 5.6 |
| Taylorsville-Bennion | 11.4 |

Subsequently, Central Valley again adopted a plan to reallocate ownership of the real property and related facilities of the first phase of the treatment works which was constructed to treat flows up to 62.5 million gallons per day. Using flow and load data available on October 31, 1992 as a baseline and a negotiated present value of the Central Valley Facility, the Central Valley Board readjusted ownership interest with the concurrence of the Member Entities at the November 1993 Board meeting subject to full consideration and payment as provided in the September 8, 1993 Memorandum of Understanding between Central Valley and the Member Entities. The adjusted ownership of the Member Entities was then as follows:

Figure 3.

| | |
|----------------------|---------|
| Cottonwood | 19.569% |
| Mt. Olympus | 25.622% |
| Granger-Hunter | 21.124% |
| Kearns | 5.978% |
| Murray | 8.892% |
| South Salt Lake | 6.120% |
| Taylorsville-Bennion | 12.695% |

K. WHEREAS, the ownership interests of each Member Entity in plant expansions and other capital acquisitions subsequent to the first phase of the treatment works and the cumulative ownership interest of each Member Entity have varied from phase to phase and from project to project.

L. WHEREAS, now, in order to coordinate and expedite the adjustment of the ownership percentages of the Central Valley Facility and any other real and personal property and related facilities so as to better match the ongoing sewage and wastewater treating requirements of each Member Entity, and to expedite additional needed construction for permit compliance, nutrient removal, and asset management to maintain the desired level of service, the Member Entities desire to amend and restate the Original Agreement to, among other things, establish a single ownership category which is reflective of both their proportional financial contributions to Central Valley and their actual on-going use of Central Valley assets.

M. WHEREAS, it is the desire of the Member Entities to reconcile their ownership interests in all prior plant construction, and other capital acquisitions, into a single cumulative ownership which is based upon their previous proportional financial contributions to the plant construction, real property, and capital acquisitions.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Member Entities agree as follows:

III. CENTRAL VALLEY WATER RECLAMATION FACILITY

A. Restated Purpose. Central Valley is created by the Member Entities pursuant to Utah Code Ann. § 11-13-101 et seq. to plan, finance, construct, administer, maintain, operate and improve the Central Valley Facility, and all future improvements, additions, and expansions thereof, to serve all of the Member Entities, in the treatment of sewage and wastewater emanating from the Member Entities' various collection systems, and to conduct all other activities allowed under law and approved by the Board.

B. Term of Agreement. The term of this Agreement shall expire upon the occurrence of the latest of the events listed in Utah Code Ann. 11-13-204(3) (2015).

C. Obligation to Treat All Sewage and Wastewater. Each Member Entity is entitled to have all of its delivered sewage and wastewater treated by Central Valley.

D. Undivided Interests.

1. The Member Entities acknowledge and agree that the Member Entities are the beneficial owners of all real and personal property, rights of way, permits, and easements used in the joint and cooperative undertaking and that Central Valley shall hold legal title to said real and personal property, rights of way, permits, and easements in trust for and in behalf of the Member Entities in conformance with the terms of this Agreement. The beneficial ownership percentages of the Member Entities in the first phase of the treatment works were the adjusted ownership percentages stated in section II. J. Figure 3.

2. In the event that any asset of Central Valley, other than real property, is sold by Central Valley, the proceeds, if any from the sale, may, at the option of the Member Entities: (i) be used as a credit to offset the remaining contribution required by the Member Entities for the operation and maintenance of Central Valley in the respective amounts due and owing as of the year in which said assets are sold, calculated pursuant to Section V. C. 2., or (ii) be distributed pursuant to their single Post 2016 Ownership interest, as defined in Section III. E.

3. In the event any real property, acquired prior to January 1, 2017, is sold by Central Valley, the proceeds of such sale shall be distributed directly to the Member Entities in accordance with the revised adjusted beneficial ownership percentages stated in Section II. J. Figure 3. Proceeds from the sale of real property, acquired after January 1, 2017, shall be distributed to the Member Entities in accordance with their single Post 2016 Ownership interest

as defined in Section III. E. herein.

E. Post 2016 Ownership. The Post-2016 Ownership is defined as a single ownership and asset allocation strategy as described herein, calculated and administered in conformance with the following:

1. The Post-2016 Ownership percentage of beneficial ownership and valuation of the respective Member Entities' undivided beneficial ownership interest in Central Valley shall be a fraction, the numerator of which shall be the summation of the depreciated value of each Member Entity's beneficial ownership interest in all ownership categories shown in the Central Valley Water Reclamation Facility-Schedule of Changes in Net Position as reported in the most recent Annual Audit Report; and the denominator of which shall be the summation of the Total Depreciated Value Balance of all assets shown on the Central Valley Water Reclamation Facility-Schedule of Changes in Net Position as reported in the most recent Annual Audit Report. The fraction shall be multiplied by one hundred to derive a percentage and rounded to two decimal places.

2. The Post-2016 Ownership percentage of beneficial ownership and valuation of the respective Member Entities' undivided beneficial ownership interest in Central Valley will be recomputed on an annual basis at the end of each calendar year, commencing on December 31, 2016. The re-computation will proceed as follows:

a. Central Valley prepares tables on a monthly basis entitled "Summary of Loadings to the Central Valley Plant Based on Data from Previous 12 Months" and "Member Entities Share of Total O&M [Operation and Maintenance] Costs" based upon the 12 month rolling average of flow and waste load of each Member Entity's delivered sewage and wastewater (the "Flow and Load Tables"). Commencing in 2017 and each year thereafter, Central

Valley shall bill real property acquisition, capital expansion and replacement, and plant or process enhancement costs to the Member Entities based upon their actual annual utilization as shown in the Flow and Load Tables through the month of August that precedes the year in which the re-computation is conducted.

b. The Post-2016 Ownership as described in Section III E. 2.a. above will be recalculated each year, commencing in 2017 as follows: (i) the billed costs described in Section III E. 2.a. above will be added to the numerator for each respective member entity shown in the audited Central Valley Financial Statements – Schedule 1, Schedule Changes in Net Position and (ii) the total of all billed costs will be added to the denominator shown in said statement in order to determine the percentage of each Member Entity's undivided ownership interest. By way of example only, an annual ownership recalculation based upon a hypothetical amount of real property acquisition, capital expansion and replacement, and plant or process enhancement cost of \$1,000,000 is attached as Exhibit A.

c. Interest and other financing costs associated with bonding or other types of financing will not be included in computation of the Post 2016 Ownership, but will appear as Long Term Debt, for the affected Member Entities, in the Annual Audit Report.

IV. CENTRAL VALLEY WATER RECLAMATION FACILITY BOARD

A. General Powers. The Member Entities each confer and delegate to Central Valley all rights, duties, powers, privileges and obligations necessary for the planning, financing, acquisition of real and personal property, construction, operation, maintenance, and enlargement of the Central Valley Facility which can, under the laws of the State of Utah, be delegated to it by the Member Entities but withhold only the power to directly levy and collect ad valorem taxes. The rights,

duties, powers, privileges and obligations conferred to Central Valley include, but are not limited to, the following:

1. The Power to Receive Grants. The power to apply for and receive grants with respect to the treatment facility for all of the Member Entities.

2. Management Agency Power. The power to accept designation by the Governor of the State of Utah as a management agency for sewage treatment; and to enter into a management agency agreement as specified in the Federal Register on September 6, 1977, with Salt Lake County which is the designated area-wide water quality planning agency for Salt Lake County, State of Utah. It is expressly understood that the foregoing enumeration of powers conferred upon Central Valley in no way limits the general conferral of powers set forth herein above.

B. Board Membership and Voting. Each Member Entity is entitled to appoint to the Central Valley Board one of its elected officials such as mayor, city council member, commissioner, or trustee to serve as a member of the Board. Each Member Entity shall designate by action of its governing body, its Central Valley Board member. Each Board appointee shall serve at the pleasure of the governing body making the appointment so long as the appointee remains an elected official of that body. In the event a Board appointee is unable to attend any Board function, each Member Entity may designate an alternate. The designated alternate is not required to be an elected official of the Member Entity. It is not the intent of this alternate provision to allow non-elected officials to become regular members of the Central Valley Board. Such alternate shall have the right to fully represent said Member Entity as a Board member in the absence of the assigned Board member. In the event of removal and/or the resignation or death of any member of the Board, the governing body which appointed that member shall appoint a new representative to the Central

Valley Board to fill the vacancy. Written notice of Board appointment and alternate designation shall be provided by the Member Entities to Central Valley. All such representatives and alternates shall serve until their respective successors are appointed. The votes to be allotted to each Member Entity's Board representative are as follows:

| | |
|---------------------|---|
| Cottonwood | 1 |
| Mt. Olympus | 1 |
| Granger-Hunter | 1 |
| Kearns | 1 |
| Murray | 1 |
| South Salt Lake | 1 |
| Taylorville-Bennion | 1 |

C. Required Majority. All actions taken by the Central Valley Board shall require the affirmative vote of two-thirds (2/3) of the Board members.

D. Administrative Duty. The Central Valley Board is authorized and empowered to supervise, manage, and direct the planning, financing, construction, operation, maintenance, enlargement and improvement of the Central Valley Facility and to proceed with the acquisition of real property to be obtained for use in connection with the same and to acquire all appropriate insurance coverage, personal property and equipment to be utilized in connection with same and to employ the professional services of such professional firms and/or individuals and/or entities as shall be deemed necessary by the Central Valley Board for the accomplishing of its purposes. The Board shall have the ability to use any legal form of debt financing to achieve the objectives provided herein. The Board shall be empowered to employ and fix the terms and compensation of all employees of Central Valley and of those providing professional services to Central Valley. The Board shall be empowered to set compensation for Board Members. The Board shall also be empowered to take any necessary and proper procedures before any administrative boards or agencies.

E. Rule Making Authority. The Central Valley Board is authorized to adopt and/or

amend such rules, regulations and surcharge penalties as are deemed necessary for the orderly and proper operation and maintenance of the Central Valley Facility and accomplishing the business of Central Valley.

F. Enforcement Powers. The Central Valley Board is entitled to prosecute actions in the name of Central Valley for violations of any applicable laws, rules, or regulations which the Member Entities hereto may adopt in connection with the operation, regulation and functioning of the sewage treatment plant and related facilities as well as to protect the contractual and statutory rights of Central Valley and its best interests.

G. Records Subject to Inspection. The books and records of Central Valley shall be open for inspection by the duly authorized officers and/or agents of each of the governing bodies of the Member Entities during all reasonable business hours.

H. Officers.

1. The Board shall select from its membership a Chair and Vice Chair who shall serve one-year terms. The Board shall make such selections in January of each year, and the term shall begin on February 1. Any officer may be removed from the office by the Board with or without cause.

2. The Chair shall be the presiding officer of the Board. The Vice Chair shall serve at request of the Chair or in the absence of the Chair.

I. Utah Open and Public Meetings Act. Central Valley is subject to the Utah Open and Public Meetings Act, Utah Code Title 52, Chapter 4 and, as such, notice of agenda items, minutes of such meetings and actual meetings must be open to the public as required by law.

J. Wastewater Reuse Designation.

1. Reuse Background Information. Central Valley has an agreement and statutory authorization to treat sewage and wastewater collected by its Member Entities and has received from the Utah Department of Environmental Quality, Division of Water Quality, the UPDES Permit for the operation of a Public Owned Treatment Works ("POTW") to treat the sewage and wastewater collected by the Member Entities.

a. The Member Entities either supply to their customers Municipal and Industrial ("M&I") water for which the Member Entities have legal and/or contractual rights or the Member Entities have other claims to the sewage and wastewater collected in their systems and delivered to Central Valley. The sewage and wastewater actually delivered to Central Valley can be traced back to the Member Entities' legal and or contractual rights, or to water from other sources such as individual wells and infiltration by ground water. No customer of the Member Entities has any claim to water which has been abandoned by introducing it into the sewer collection systems. The Member Entities and Central Valley have control over sewage and wastewater from the time it enters the collection system until it is discharged back into the receiving waters of the state.

b. The treated sewage and wastewater at the Central Valley Facility is a valuable resource that can be reused as a water source. The Utah Wastewater Reuse Act ("**Wastewater Act**"), Utah Code Title 73, Chapter 3c, recognizes the right of local governmental entities to reuse their sewage and wastewater and authorizes local governmental entities participating in a regional POTW to contract with the POTW as their agent for the purpose of using treated effluent. The Act allows reuse of treated effluent for beneficial use.

2. Reuse Agent Designation. The Member Entities jointly and individually designate Central Valley to act as their agent for the reuse of sewage and wastewater delivered to Central Valley through the collection systems of the Member Entities.

3. Reuse Authorization. Central Valley is authorized to plan, construct, operate and maintain both a reuse demonstration project at the Central Valley Facility and other reuse projects that will reuse sewage and wastewater treated by Central Valley. This authorization also includes the development of legislation and the development and revision of wastewater reuse rules adopted by the Water Quality Board, designed to promote and enhance the reuse of treated effluent.

4. Reuse Funding. Any proposed reuse project will be funded, constructed and owned pursuant to the terms of a separate agreement.

V. BOARD FINANCIAL AND BUDGET AUTHORITY

A. Authority Vested in Board.

1. The budget of Central Valley is established and maintained in accordance with Utah law by the Central Valley Board. The budget provides for all expenditures including but not limited to administration, construction, operation and maintenance, and reserve expenditures as appropriate. Central Valley is empowered to obtain such fiscal and accounting services as it deems necessary in formulating, adopting, and administering its budget. Central Valley shall operate on a calendar year budget.

2. Periodic audits will be conducted as directed by the Board in compliance with Utah law.

B. Member Entities' Responsibilities.

1. The Member Entities are responsible and obligated to pay their share of the costs and expenses required to fund Central Valley as determined by the Central Valley Board, pursuant to this Agreement.

2. Each Member Entity shall be responsible to provide its share of the funds required by the Board and to determine the manner in which said funds are raised.

C. Budget Allocations.

1. Future Capital Expenditures. Future capital expenditures by Central Valley shall be financed from funds which shall be allocated to and paid by the Member Entities in the following manner:

a. Commencing on January 1, 2017 and each year thereafter, real property acquisition, capital expansion and replacement, and plant or process enhancement costs will be borne by the Member Entities and billed to the Member Entities based upon their annual utilization, as shown in the Flow and Load Tables for the month of August immediately preceding the year in which the costs are incurred. An example of the allocation annual real property acquisition, capital expansion and replacement, and plant or process enhancement costs to the Member Entities based upon a hypothetical amount of real property acquisition, capital expansion and replacement, and plant or process enhancement costs of \$1,000,000 is attached hereto as Exhibit A.

b. Real property acquisition, capital expansion and replacement, and plant or process enhancement asset ownership will be allocated to the Member Entities in accordance with Section III. E.

2. Operation and Maintenance Costs.

a. The cost of operation and maintenance of the Central Valley Facility, including but not limited to administration, construction, maintenance and operation, and reserve expenditures as appropriate will be allocated to the Member Entities based on the utilization of each Member Entity as determined by flow and load of its delivered sewage and

wastewater. The Board may develop a formula considering these factors and other issues consistent with this Agreement in the allocation of all Central Valley costs.

b. Central Valley shall provide for measurement and recording of flows and load received from each Member Entity at the Central Valley Facility, and provide for weekly and/or other appropriate sampling of the delivered sewage and wastewater at appropriate points. The valid sampling data will be used to determine compliance with established effluent standards and the costs for treating of sewage and wastewater.

D. Allocation of Revenue From Operations. Any revenue generated by Central Valley from operations shall be allocated to reduce the operating costs of Central Valley. Using revenues to offset operating costs will reduce the operating contribution required of each Member Entity. The remaining operational costs will continue to be allocated to Member Entities pursuant to this Agreement. In the event that in any one month revenues exceed expenditures, any remaining revenues shall be held in reserve and be offset against the next month's expenditures.

E. Terms of Payment of Entity Assessments. All assessments for Central Valley expenditures shall be issued in writing to the Member Entities on or before the 10th day of each month. Should the 10th day fall on a holiday or weekend, the assessment will be issued on the first business day following said holiday or weekend. All assessments for Central Valley expenditures are due and payable on the later of: 1) the date of the Board meeting in the month in which the assessment was issued; or 2) the 26th day of the month in which the assessment was issued. Should the 26th day of the month fall on a holiday or weekend, the assessment will be due on the first business day following said holiday or weekend. If no Board meeting is held in a given month, the assessment for that month is due on the 26th day of said month or on the next business day if the 26th day of said month falls on a holiday or weekend. Any assessment

not paid on the due date shall bear interest at an annual rate to be determined by the Board. Any assessment plus interest not paid within 20 days of receipt of the written assessment must be presented to the Board and a plan for payment of such assessment plus interest approved by the Board. If the Board so determines, any Member Entity may lose its voting privilege until applicable assessments are paid.

VI. CLEAN WATER STANDARDS

A. Construction Standards. The Central Valley Facility has been and shall continue to be constructed and operated in a manner utilizing the best practicable wastewater treatment technology needed to meet applicable state and federal water quality standards and effluent standards over the life of the Central Valley Facility. Application of advance technology in the future will be encouraged which will aid in appropriate reclamation and recycling.

B. Pretreatment Authority.

1. Rule Making Authority. Central Valley is expressly authorized and empowered to adopt rules, regulations and surcharge penalties which are deemed necessary to prevent excessive treatment costs and control industrial wastes and to limit additional treatment wherever possible. Central Valley has adopted uniform rules and regulations concerning the quality of materials to be treated at the treatment plant.

2. Refusal of Services. Central Valley, in cooperation with the Member Entities, has power to refuse service to a Member Entity's customer if pretreatment requirements are not met and to sample sewage and wastewater at the point of introduction into any publicly owned collection system.

C. Compliance with 208 and 303 Plans. The Member Entities agree that they will comply with all applicable federal and state rules and regulations, including but not limited to

any state plan adopted pursuant to Sections 208 and 303 of the Clean Water Act of 1977, as amended.

D. User Fee Compliance. The Member Entities and all other entities contracting for treatment of sewage and wastewater shall provide for the review and establishment of appropriate guidelines and schedules for treatment fees for residential, commercial, industrial, public and other uses to comply with all federal and state regulations, rules, and laws.

VII. COLLECTION SYSTEMS

A. Infiltration Prevention. Each Member Entity will maintain ownership and control of its respective collection system, and each Member Entity agrees that it will use and exercise due diligence in preventing surface and subsurface waters from entering into its respective collection system, and that construction of its respective sewage collection lines will be performed in such a manner as to resist infiltration. Any grants for the study or control of infiltration and inflow into collection systems shall be applied for and made to the individual Member Entities with regard to their respective collection systems. It is the intent of the Member Entities that Central Valley will not include collection systems.

B. Sewage and Wastewater Operation and Delivery. Each Member Entity shall operate its own collection system and shall deliver its sewage and wastewater to Central Valley interceptor lines at its own cost and expense.

VIII. TERMINATION OF AGREEMENT

A. Termination of Interest. A Member Entity may terminate its interest as provided for herein.

B. Notice. Any Member Entity wanting to terminate its interest shall give reasonable written notice to Central Valley and the other Member Entities.

C. Right of First Refusal. Central Valley shall have a right of first refusal to purchase any Member Entity's interest. Terms of such purchase must be negotiated within 90 days of Central Valley receiving written notice. In the event that Central Valley declines to purchase such an interest within 90 days, or terms cannot be negotiated, the terminating Member Entity's interest must then be offered to each other Member Entity. The purchase of any Member Entity's ownership interest must be negotiated between the involved Member Entities and must be in writing by the involved Member Entities. Terms of such purchase are subject to negotiation by the Member Entities. If terms are not successfully negotiated within 90 days after the interest is offered to the Member Entities, then the Member Entity seeking termination may sell its interest to any purchaser that is willing and legally able to become a party to and be subject to the terms of this Agreement.

D. Division of Central Valley Interest. In the event that Central Valley exercises its right of purchase of a Member Entity's interest, it is expressly understood and agreed that, notwithstanding anything herein to the contrary, the undivided interest of any participating Member Entity in the title to the underlying real property and improvements comprising the regional treatment facility will remain in the participating Member Entities who have not terminated this Agreement on a pro-rata basis in accordance with the Member Entities' cumulative interests.

E. Complete Termination By All Member Entities. In the event of a complete termination by all of the Member Entities to this Agreement, the real property and improvements held by Central Valley shall be sold in accordance with Utah law and the proceeds therefrom shall be distributed to the Member Entities in proportion to their then current ownership interest. In the event of such termination, Central Valley shall be dissolved as an entity at the date of termination fixed by the Member Entities subject to preservation of any then current employee benefits.

IX. AMENDMENT AND MODIFICATION

This Agreement shall not be modified or amended except in writing, which shall be signed by the duly authorized representative of each Member Entity after the adoption of a resolution of each Member Entity approving the modification or amendment.

X. BINDING ON SUCCESSORS

This Agreement shall be binding upon each of the Member Entities hereto and their respective legally permitted assigns and successors-in-interest.

IN WITNESS WHEREOF, the Member Entities hereto have caused this Agreement to be executed by and through their duly authorized representatives the day and year first herein above written.

COTTONWOOD IMPROVEMENT DISTRICT

ATTEST:

Spencer Evans
Clerk

By: *Ruth A. Fisher*
Its: Chairman,
Board of Trustees

Approved as to form and compatibility with
the laws of the State of Utah:

By: *[Signature]*

MT OLYMPUS IMPROVEMENT DISTRICT

ATTEST:

Sammy Gonzales
Clerk

By: *Myron J Mackay*
Its: Chairman,
Board of Trustees

Approved as to form and compatibility with
the laws of the State of Utah:

By: *Wallace D. Feltner*

GRANGER-HUNTER IMPROVEMENT
DISTRICT

ATTEST:

Karin J. [Signature]
Clerk

By: Debra K. Armstrong
Its: Chairman,
Board of Trustees

Approved as to form and compatibility with
the laws of the State of Utah:

By: [Signature]

KEARNS IMPROVEMENT DISTRICT

ATTEST:

Bruce [Signature]
Clerk

By: Maynard R. [Signature]
Its: Chairman,
Board of Trustees

Approved as to form and compatibility with
the laws of the State of Utah:

By: Mark H. [Signature]

MURRAY CITY

ATTEST:

James Kennedy
City Recorder

By: David Ed Eyre
Its: Mayor

Approved as to form and compatibility with
the laws of the State of Utah:

By: Frank M. [Signature]



CITY OF SOUTH SALT LAKE

ATTEST:

Paul Anderson

Deputy

City Recorder

By: *Cherie Wood*
Its: Mayor

Approved as to form and compatibility with
the laws of the State of Utah:

By: *Paul Anderson*



TAYLORSVILLE-BENNION
IMPROVEMENT DISTRICT

ATTEST:

Gary Swanson
Clerk

By: *Kay Jensen-Bekunis*
Its: Chairman,
Board of Trustees

Approved as to form and compatibility with
the laws of the State of Utah:

By: *[Signature]*

Exhibit A

POST 2016 OWNERSHIP EXAMPLE

| Member Entity | Example 2016 Initial Ownership | | Example 2017 Capital Contribution <small>(Based upon the Flow and Loan Tables through August 2016)</small> | | Example Post 2016 Ownership | |
|---|-----------------------------------|---------|---|---------|--------------------------------|---------|
| Cottonwood | \$166,340 | 16.63% | \$185,159 | 18.52% | \$351,499 | 17.57% |
| Mt Olympus | \$247,644 | 24.76% | \$226,260 | 22.63% | \$473,904 | 23.69% |
| Granger-Hunter | \$221,011 | 22.10% | \$227,802 | 22.78% | \$448,813 | 22.44% |
| Kearns | \$108,752 | 10.88% | \$106,547 | 10.65% | \$215,299 | 10.77% |
| Murray | \$83,305 | 8.33% | \$91,446 | 9.14% | \$174,751 | 8.74% |
| South Salt Lake | \$51,445 | 5.14% | \$57,754 | 5.78% | \$109,199 | 5.46% |
| Taylorsville-Bennion | \$121,503 | 12.15% | \$105,032 | 10.50% | \$226,535 | 11.33% |
| Total Depreciated Assets Central Valley | \$1,000,000 | 100.00% | \$1,000,000 | 100.00% | \$2,000,000 | 100.00% |

**CENTRAL VALLEY WATER RECLAMATION FACILITY
FIRST AMENDMENT TO AMENDED AND RESTATED INTERLOCAL AGREEMENT**

This First Amendment to the Central Valley Water Reclamation Facility Amended and Restated Interlocal Agreement (“**Amendment**”) is entered into effective _____ day of _____, 2018 by and between the Cottonwood Improvement District (“**Cottonwood**”); Mt Olympus Improvement District (“**Mt Olympus**”); Granger-Hunter Improvement District (“**Granger-Hunter**”); Kearns Improvement District (“**Kearns**”); Murray City (“**Murray**”); City of South Salt Lake (“**South Salt Lake**”); and Taylorsville-Bennion Improvement District (“**Taylorsville-Bennion**”). Collectively Cottonwood, Mt Olympus, Granger-Hunter, Kearns, Murray, South Salt Lake, and Taylorsville-Bennion may be referred to as the **Member Entities** or individually as a **Member Entity**.

WHEREAS, the Member Entities are each a party to the Central Valley Water Reclamation Facility Amended and Restated Interlocal Agreement (“**Interlocal Agreement**”) entered into and deemed effective January 1, 2017.

WHEREAS, under the Interlocal Agreement the Member Entities contracted to create a Utah interlocal entity known as the Central Valley Water Reclamation Facility (“**Central Valley**”).

WHEREAS, the Member Entities enter into this Amendment to revise Section V. paragraphs D and E of the Interlocal Agreement to create greater flexibility for the payment of assessments to Central Valley to cover operating costs and expenses and to allow Central Valley to collect and hold revenue generated by Central Valley operations as cash reserve.

NOW, THEREFORE, the Member Entities agree that Section V paragraphs D and E of the Interlocal Agreement are deleted and replaced with the following new paragraphs D and E:

D. Allocation of Revenues from Operations. Revenues generated by Central Valley from operations other than Member Entity assessments (“**Non-Member Entity Revenue**”) will be

retained by Central Valley to increase its cash account (“**Cash Account**”) or be used to offset operating costs. The Cash Account shall be maintained at a maximum amount to be determined by the Board. The Board’s determination of the amount to be maintained shall be reviewed by the Board at least annually. Funds deposited to the Cash Account shall be reported on an annual basis based upon the Member Entities’ Post 2016 Ownership Percentages. Alternatively, Non-Member Entity Revenue may be allocated to offset the operating costs of Central Valley thereby reducing the operating contribution required by each Member Entity. Remaining operational costs will continue to be allocated to Member Entities pursuant to the Interlocal Agreement. When the Cash Account reaches the Board approved maximum, any amount in excess of the maximum, shall be allocated to offset the operating costs of Central Valley thereby reducing the operating contribution required from each Member Entity in proportion to each Member Entity’s Post 2016 Ownership Percentage.

E. Terms of Payment of Member Entity Assessments. Central Valley will make a main assessment to Member Entities on or before the 10th day of each month (“**Main Assessment**”). The Main Assessment will include costs and expenses for operations, capital, and debt service. Additional assessments to Member Entities may be made on an as-needed basis. All assessments are due and payable within fifteen (15) days from the date the assessment is issued. Any assessments not paid on or before the due date shall be charged interest at a rate to be determined by the Board. Any assessment plus interest not paid within twenty (20) days of the date the written assessment is issued must be presented to the Board and a plan for payment of the assessment plus interest must be approved by the Board. If the Board so determines, the delinquent Member Entity may lose its voting privilege until the assessment and any interest due are paid.

This Amendment is not intended to and does not modify any other term of the Interlocal Agreement. As required by the Interlocal Cooperation Act, Title 11, Chapter 13 of the Utah Code (the "Interlocal Act"), this Amendment shall be effective upon the last to occur of the following:

- (a) This Amendment shall be approved by a resolution adopted by the governing body of each Member Entity, pursuant to Section 11-13-202.5 of the Interlocal Act and Section IX of the Interlocal Agreement;
- (b) This Amendment shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Member Entity, pursuant to Section 11-13-202.5 of the Interlocal Act;
- (c) A duly executed counterpart of the Amendment shall be filed with the keeper of records of each Member Entity, pursuant to Section 11-13-209 of the Interlocal Act;

IN WITNESS WHEREOF, the Member Entities have caused this Amendment to be executed by and through their duly authorized representatives.

ATTEST:

COTTONWOOD IMPROVEMENT DISTRICT

Clerk

Approved as to form and its compatibility
with the laws of the State of Utah:

By: _____
Its: Chairman, Board of Trustees

By: _____

ATTEST:

MT OLYMPUS IMPROVEMENT DISTRICT

Clerk

Approved as to form and its compatibility
with the laws of the State of Utah:

By: _____
Its: Chairman, Board of Trustees

By: _____

ATTEST:

GRANGER-HUNTER IMPROVEMENT
DISTRICT

Clerk

Approved as to form and its compatibility
with the laws of the State of Utah:

By: _____

By: _____
Its: Chairman,
Board of Trustees

ATTEST:

KEARNS IMPROVEMENT DISTRICT

Clerk

Approved as to form and its compatibility
with the laws of the State of Utah:

By: _____

By: _____
Its: Chairman,
Board of Trustees

ATTEST:

MURRAY CITY

City Recorder

Approved as to form and its compatibility
with the laws of the State of Utah:

By: _____

By: _____
Its: Mayor

ATTEST:

SOUTH SALT LAKE

City Recorder

Approved as to form and its compatibility
with the laws of the State of Utah:

By: _____

By: _____
Its: Mayor

ATTEST:

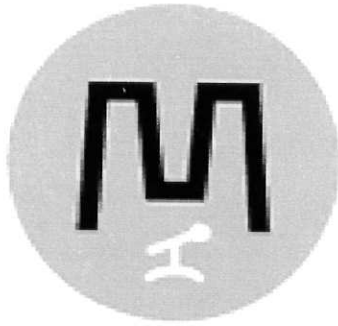
TAYLORSVILLE-BENNION
IMPROVEMENT DISTRICT

Clerk

Approved as to form and its compatibility
with the laws of the State of Utah:

By: _____

By: _____
Its: Chairman,
Board of Trustees



MURRAY
CITY COUNCIL

Mayor's Report And Questions



MURRAY
CITY COUNCIL

Adjournment